

# Union Calendar 114

108TH CONGRESS  
1ST SESSION

# H. R. 2086

**[Report No. 108–167, Parts I and II]**

To reauthorize the Office of National Drug Control Policy.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2003

Mr. SOUDER (for himself and Mr. TOM DAVIS of Virginia) introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committees on the Judiciary, Energy and Commerce, and Select Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JUNE 19, 2003

Reported from the Committee on Government Reform with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

JUNE 19, 2003

Referral to the Committees on the Judiciary, Energy and Commerce, and the Permanent Select Committee on Intelligence extended for a period ending not later than July 14, 2003

JULY 14, 2003

Reported from the Committee on the Judiciary with an amendment

[Strike out all after the enacting clause and insert the part printed in **boldface roman**]

JULY 14, 2003

Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

To reauthorize the Office of National Drug Control Policy.

8 (b) AMENDMENT OF OFFICE OF NATIONAL DRUG CON-  
9 TROL POLICY REAUTHORIZATION ACT OF 1998.—Except as  
10 otherwise expressly provided, whenever in this Act an  
11 amendment or repeal is expressed in terms of an amend-  
12 ment to, or repeal of, a section or other provision, the ref-  
13 erence shall be considered to be made to a section or other  
14 provision of the Office of National Drug Control Policy Re-  
15 authorization Act of 1998 (Public Law 105–277; 21 U.S.C.  
16 1701 et seq.).

*Sec. 4. Amendments relating to coordination with other agencies.*

*Sec. 5. Development, submission, implementation, and assessment of National Drug Control Strategy.*

*Sec. 6. High intensity drug trafficking areas program.*

*Sec. 7. Funding for certain high intensity drug trafficking areas.*

*Sec. 8. Amendments relating to Counter-Drug Technology Assessment Center.*

*Sec. 9. Repeals.*

*Sec. 10. National Youth Antidrug Media Campaign.*

*Sec. 11. Authorization of appropriations.*

*Sec. 12. Extension of termination date.*

**1 SEC. 2. AMENDMENTS TO DEFINITIONS.**

2       (a) *AMENDMENTS TO DEFINITIONS.*—Section 702 (21  
3 *U.S.C. 1701) is amended—*

4               (1) *in paragraph (1)—*

5                       (A) *by striking “and” at the end of sub-*  
6 *paragraph (F);*

7                       (B) *by striking the period at the end of sub-*  
8 *paragraph (G) and inserting a semicolon; and*

9                       (C) *by adding at the end the following:*

10                       “(H) *interventions for drug abuse and de-*  
11 *pendence; and*

12                       “(I) *international drug control coordination*  
13 *and cooperation with respect to activities de-*  
14 *scribed in this paragraph.”.*

15               (2) *in paragraph (9), by striking “implicates”*  
16 *and inserting “indicates”;*

17               (3) *in paragraph (10)—*

18                       (A) *by striking “and” at the end of sub-*  
19 *paragraph (B);*

20                       (B) *by striking the period at the end of sub-*  
21 *paragraph (C) and inserting “; and”; and*

1                   (C) by adding at the end the following:

2                   “(D) domestic drug law enforcement, in-  
3                   cluding law enforcement directed at drug users.”;

4                   and

5                   (4) in paragraph (11)—

6                   (A) by inserting before the semicolon in sub-  
7                   paragraph (A) the following: “(including source  
8                   country programs, and law enforcement outside  
9                   the United States)”;

10                  (B) by inserting “and” after the semicolon  
11                  in subparagraph (B);

12                  (C) by striking “; and” at the end of sub-  
13                  paragraph (C) and inserting a period; and

14                  (D) by striking subparagraph (D).

15                  (b) *CONFORMING AMENDMENTS.*—Section 703(b)(3)  
16                  (21 U.S.C. 1702(b)(3)) is amended—

17                  (1) in subparagraph (A), by striking “(G)” and  
18                  inserting “(H)”;

19                  (2) in subparagraph (C)—

20                  (A) by striking “(C)” and inserting “(D)”;  
21                  and

22                  (B) by striking “and subparagraph (D) of  
23                  section 702(11)”.

1 **SEC. 3. AMENDMENTS RELATING TO APPOINTMENT AND**  
 2 **DUTIES OF DIRECTOR AND DEPUTY DIREC-**  
 3 **TORS.**

4 (a) *DESIGNATION OF OTHER OFFICERS.*—Section  
 5 704(a)(3) (21 U.S.C. 1703(a)(3)) is amended—

6 (1) by striking “permanent employee” and in-  
 7 serting “officer or employee”; and

8 (2) by striking “serve as the Director” and in-  
 9 serting “serve as the acting Director”.

10 (b) *RESPONSIBILITIES OF DIRECTOR.*—Section 704(b)  
 11 (21 U.S.C. 1703(b)) is amended—

12 (1) in paragraph (4), by striking “Federal de-  
 13 partments and agencies engaged in drug enforce-  
 14 ment,” and inserting “National Drug Control Pro-  
 15 gram agencies,”;

16 (2) by inserting “and” at the end of paragraph  
 17 (12);

18 (3) by striking paragraphs (13) and (14); and

19 (4) by redesignating paragraph (15) as para-  
 20 graph (13).

21 (c) *REVIEW AND CERTIFICATION OF NATIONAL DRUG*  
 22 *CONTROL PROGRAM BUDGET.*—Section 704(c)(3) (21  
 23 U.S.C. 1703(c)(3)) is amended—

24 (1) by redesignating subparagraphs (C) and (D)  
 25 as subparagraphs (D) and (E), respectively;

1           (2) *by inserting after subparagraph (B) the fol-*  
2           *lowing new subparagraph:*

3                   “(C) *SPECIFIC REQUESTS.—The Director*  
4                   *shall not confirm the adequacy of any budget re-*  
5                   *quest that—*

6                           “(i) *requests funding for Federal law*  
7                           *enforcement activities that do not ade-*  
8                           *quately compensate for transfers of drug en-*  
9                           *forcement resources and personnel to law*  
10                          *enforcement and investigation activities not*  
11                          *related to drug enforcement as determined*  
12                          *by the Director;*

13                           “(ii) *requests funding for law enforce-*  
14                           *ment activities on the borders of the United*  
15                           *States that do not adequately direct re-*  
16                           *sources to drug interdiction and enforce-*  
17                           *ment as determined by the Director;*

18                           “(iii) *requests funding for drug treat-*  
19                           *ment activities that do not provide adequate*  
20                           *result and accountability measures as deter-*  
21                           *mined by the Director;*

22                           “(iv) *requests funding for any activi-*  
23                           *ties of the Safe and Drug Free Schools Pro-*  
24                           *gram that do not include a clear antidrug*

1           *message or purpose intended to reduce drug*  
2           *use;*

3           “(v) requests funding to enforce section  
4           484(r)(1) of the Higher Education Act of  
5           1965 (20 U.S.C. 1091(r)(1)) with respect to  
6           convictions for drug-related offenses not oc-  
7           curring during a period of enrollment for  
8           which the student was receiving any Fed-  
9           eral grant, loan, or work assistance;

10          “(vi) requests funding for drug treat-  
11          ment activities that do not adequately sup-  
12          port and enhance Federal drug treatment  
13          programs and capacity, as determined by  
14          the Director; or

15          “(vii) requests funding for fiscal year  
16          2005 for activities of the Department of  
17          Education, unless it is accompanied by a  
18          report setting forth a plan for providing ex-  
19          pedited consideration of student loan appli-  
20          cations for all individuals who submitted  
21          an application for any Federal grant, loan,  
22          or work assistance that was rejected or de-  
23          nied pursuant to 484(r)(1) of the Higher  
24          Education Act of 1965 (20 U.S.C.  
25          1091(r)(1)) by reason of a conviction for a

1                   *drug-related offense not occurring during a*  
 2                   *period of enrollment for which the indi-*  
 3                   *vidual was receiving any Federal grant,*  
 4                   *loan, or work assistance.”;*

5                   *(3) in subparagraph (D)(iii), as so redesignated,*  
 6                   *by inserting “and the authorizing committees of Con-*  
 7                   *gress for the Office” after “House of Representatives”;*  
 8                   *and*

9                   *(4) in subparagraph (E)(ii)(bb), as so redesign-*  
 10                  *ated, by inserting “and the authorizing committees*  
 11                  *of Congress for the Office” after “House of Represent-*  
 12                  *atives”.*

13                  *(d) REPROGRAMMING AND TRANSFER REQUESTS.—*  
 14                  *Section 704(c)(4)(A) (21 U.S.C. 1703(c)(4)(A)) is amended*  
 15                  *by striking “\$5,000,000” and inserting “\$1,000,000”.*

16                  *(e) POWERS OF DIRECTOR.—Section 704(d) (21*  
 17                  *U.S.C. 1703(d)) is amended—*

18                   *(1) in paragraph (8)(D), by striking “have been*  
 19                   *authorized by Congress;” and inserting “authorized*  
 20                   *by law;”;*

21                   *(2) in paragraph (9)—*

22                           *(A) by inserting “notwithstanding any*  
 23                           *other provision of law,” after “(9)”;* and

24                           *(B) by striking “Strategy; and” and insert-*  
 25                           *ing “Strategy and notify the authorizing Com-*



1            *mittees of Congress for the Office of any fund*  
2            *control notice issued;”;*

3            *(3) in paragraph (10), by striking “(22 U.S.C.*  
4            *2291j).” and inserting “(22 U.S.C. 2291j) and section*  
5            *706 of the Department of State Authorization Act for*  
6            *Fiscal Year 2003 (22 U.S.C. 229j–l);”;*

7            *(4) by adding at the end the following new para-*  
8            *graphs:*

9            *“(11) not later than August 1 of each year, sub-*  
10           *mit to the President a report, and transmit copies of*  
11           *the report to the Secretary of State and the author-*  
12           *izing Committees of Congress for the Office, that—*

13           *“(A) provides the Director’s assessment of*  
14           *which countries are major drug transit countries*  
15           *or major illicit drug producing countries as de-*  
16           *finied in section 481(e) of the Foreign Assistance*  
17           *Act of 1961;*

18           *“(B) provides the Director’s assessment of*  
19           *whether each country identified under subpara-*  
20           *graph (A) has cooperated fully with the United*  
21           *States or has taken adequate steps on its own to*  
22           *achieve full compliance with the goals and objec-*  
23           *tives established by the United Nations Conven-*  
24           *tion Against Illicit Traffic in Narcotic Drugs*  
25           *and Psychotropic Substances and otherwise has*

1       *assisted in reducing the supply of illicit drugs to*  
2       *the United States; and*

3               “(C) *provides the Director’s assessment of*  
4       *whether application of procedures set forth in*  
5       *section 490(a) through (h) of the Foreign Assist-*  
6       *ance Act of 1961, as provided in section 706 of*  
7       *the Department of State Authorization Act for*  
8       *Fiscal Year 2003, is warranted with respect to*  
9       *countries the Director assesses have not cooper-*  
10       *ated fully; and*

11              “(12) *appoint a United States Interdiction Coor-*  
12       *dinator under subsection (i).”.*

13       (f) *UNITED STATES INTERDICTION COORDINATOR.—*  
14       *Section 704 (21 U.S.C. 1703) is further amended by adding*  
15       *at the end the following:*

16              “(i) *UNITED STATES INTERDICTION COORDINATOR.—*

17               “(1) *IN GENERAL.—There shall be in the Office*  
18       *a United States Interdiction Coordinator, who shall*  
19       *be appointed by the Director and shall perform duties*  
20       *determined by the Director with respect to coordina-*  
21       *tion of efforts to interdict illicit drugs from the*  
22       *United States.*

23              “(2) *APPOINTMENT.—*

24               “(A) *IN GENERAL.—Notwithstanding any*  
25       *other provision of law (except subparagraph*

1           (B)), the Director may appoint any individual  
2           to serve as the United States Interdiction Coordi-  
3           nator.

4           “(B) *LIMITATION.*—The Director may not  
5           appoint to such position any individual who  
6           concurrently serves as the head of any other Fed-  
7           eral department or agency or any subdivision  
8           thereof with responsibility for narcotics interdic-  
9           tion activities, except the counternarcotics officer  
10          of the Department of Homeland Security ap-  
11          pointed under section 878 of the Homeland Secu-  
12          rity Act of 2002 (6 U.S.C. 458).”.

13          (g) *REQUIREMENT FOR SOUTH AMERICAN HEROIN*  
14          *STRATEGY.*—

15               (1) *IN GENERAL.*—Not later than 90 days after  
16               the date of the enactment of this Act, the Director of  
17               National Drug Control Policy shall submit to the  
18               Congress a comprehensive strategy that addresses the  
19               increased threat from South American heroin, and in  
20               particular Colombian heroin.

21               (2) *CONTENTS.*—The strategy shall—

22                     (A) include opium eradication efforts to  
23                     eliminate the problem at the source to prevent it  
24                     from reoccurring before the heroin enters the  
25                     stream of commerce;

1                   (B) interdiction and precursor chemical  
2                   controls;

3                   (C) demand reduction and treatment;

4                   (D) provisions that ensure the maintenance  
5                   at current levels of efforts to eradicate coca in  
6                   Colombia; and

7                   (E) assessment of the level of additional  
8                   funding and resources necessary to simulta-  
9                   neously address the threat from South American  
10                  heroin and the threat from Colombian coca.

11 **SEC. 4. AMENDMENTS RELATING TO COORDINATION WITH**  
12 **OTHER AGENCIES.**

13                  Section 705 (21 U.S.C. 1704) is amended—

14                  (1) in subsection (a)(1)(A), by striking “abuse”;

15                  (2) by amending paragraph (3) of subsection (a)

16                  to read as follows:

17                  “(3) *REQUIRED REPORTS.*—

18                         “(A) *SECRETARIES OF THE INTERIOR AND*  
19                         *AGRICULTURE.*—The Secretaries of Agriculture  
20                         and Interior shall, by July 1 of each year, joint-  
21                         ly submit to the Director and the authorizing  
22                         Committees of Congress for the Office an assess-  
23                         ment of the quantity of illegal drug cultivation  
24                         and manufacturing in the United States on

1        *lands owned or under the jurisdiction of the Fed-*  
2        *eral Government for the preceding year.*

3                “(B) *ATTORNEY GENERAL.*—*The Attorney*  
4        *General shall, by July 1 of each year, submit to*  
5        *the Director and the authorizing Committees of*  
6        *Congress for the Office information for the pre-*  
7        *ceding year regarding the number and type of—*

8                “(i) *arrests for drug violations;*

9                “(ii) *prosecutions for drug violations*  
10        *by United States Attorneys; and*

11               “(iii) *the number and type of seizures*  
12        *of drugs by each component of the Depart-*  
13        *ment seizing drugs, as well as statistical in-*  
14        *formation on the geographic areas of such*  
15        *seizures.*

16               “(C) *SECRETARY OF HOMELAND SECUR-*  
17        *ITY.*—*The Secretary of Homeland Security*  
18        *shall, by July 1 of each year, submit to the Di-*  
19        *rector and the authorizing Committees of Con-*  
20        *gress for the Office information for the preceding*  
21        *year regarding—*

22               “(i) *the number and type of seizures of*  
23        *drugs by each component of the Department*  
24        *seizing drugs, as well as statistical informa-*

1            *tion on the geographic areas of such sei-*  
 2            *zures; and*

3            *“(ii) the number of air and maritime*  
 4            *patrol hours undertaken by each component*  
 5            *of the Department primarily dedicated to*  
 6            *drug supply reduction missions.*

7            *“(D) SECRETARY OF DEFENSE.—The Sec-*  
 8            *retary of Defense shall, by July 1 of each year,*  
 9            *submit to the Director and the authorizing Com-*  
 10           *mittees of Congress for the Office information for*  
 11           *the preceding year regarding the number of air*  
 12           *and maritime patrol hours primarily dedicated*  
 13           *to drug supply reduction missions undertaken by*  
 14           *each component of the Department of Defense.”;*  
 15           *and*

16           *(3) in subsection (b)(2)(B), by striking “Pro-*  
 17           *gram.” and inserting “Strategy.”.*

18 **SEC. 5. DEVELOPMENT, SUBMISSION, IMPLEMENTATION,**  
 19 **AND ASSESSMENT OF NATIONAL DRUG CON-**  
 20 **TROL STRATEGY.**

21           *Section 706 (21 U.S.C. 1705) is amended to read as*  
 22           *follows:*

1 **“SEC. 706. DEVELOPMENT, SUBMISSION, IMPLEMENTATION,**  
2 **AND ASSESSMENT OF NATIONAL DRUG CON-**  
3 **TROL STRATEGY.**

4 *“(a) TIMING, CONTENTS, AND PROCESS FOR DEVELOP-*  
5 *MENT AND SUBMISSION OF NATIONAL DRUG CONTROL*  
6 *STRATEGY.—*

7 *“(1) IN GENERAL.—Not later than February 1 of*  
8 *each year, the President shall submit to Congress a*  
9 *National Drug Control Strategy, which shall set forth*  
10 *a comprehensive plan for reducing illicit drug use*  
11 *and the consequences of illicit drug use in the United*  
12 *States by reducing the demand for illegal drugs, lim-*  
13 *iting the availability of illegal drugs, and conducting*  
14 *law enforcement activities with respect to illegal*  
15 *drugs.*

16 *“(2) CONTENTS.—*

17 *“(A) IN GENERAL.—The National Drug*  
18 *Control Strategy submitted under paragraph (1)*  
19 *shall include—*

20 *“(i) comprehensive, research-based,*  
21 *long-range, and quantifiable goals for re-*  
22 *ducing illicit drug use and the consequences*  
23 *of illicit drug use in the United States;*

24 *“(ii) annual objectives and strategy for*  
25 *demand reduction, supply reduction, and*  
26 *law enforcement activities, specific targets*

1           *to accomplish long-range quantifiable reduc-*  
2           *tion in illicit drug use as determined by the*  
3           *Director, and specific measurements to*  
4           *evaluate progress toward the targets and*  
5           *strategic goals;*

6           “(iii) *a strategy to reduce the avail-*  
7           *ability and purity of illegal drugs and the*  
8           *level of drug-related crime in the United*  
9           *States;*

10          “(iv) *an assessment of Federal effec-*  
11          *tiveness in achieving the National Drug*  
12          *Control Strategy for the previous year, in-*  
13          *cluding—*

14               “(I) *a specific evaluation of*  
15               *whether the objectives and targets for*  
16               *reducing illicit drug use for the pre-*  
17               *vious year were met and reasons for*  
18               *the success or failure of the previous*  
19               *year’s Strategy; and*

20               “(II) *an assessment of the avail-*  
21               *ability and purity of illegal drugs and*  
22               *the level of drug-related crime in the*  
23               *United States;*

24               “(v) *notification of any program or*  
25               *budget priorities that the Director expects to*



1           *significantly change from the current Strat-*  
2           *egy over the next five years;*

3           “(vi) *a review of international, State,*  
4           *local, and private sector drug control activi-*  
5           *ties to ensure that the United States pursues*  
6           *well-coordinated and effective drug control*  
7           *at all levels of government;*

8           “(vii) *such statistical data and infor-*  
9           *mation as the Director deems appropriate*  
10          *to demonstrate and assess trends relating to*  
11          *illicit drug use, the effects and consequences*  
12          *thereof, supply reduction, demand reduc-*  
13          *tion, drug-related law enforcement, and the*  
14          *implementation of the National Drug Con-*  
15          *trol Strategy; and*

16          “(viii) *a supplement reviewing the ac-*  
17          *tivities of each individual National Drug*  
18          *Control Program agency during the pre-*  
19          *vious year with respect to the National*  
20          *Drug Control Strategy and the Director’s*  
21          *assessment of the progress of each National*  
22          *Drug Control Program agency in meeting*  
23          *its responsibilities under the National Drug*  
24          *Control Strategy.*

1           “(B) *CLASSIFIED INFORMATION.*—Any con-  
 2           *tents of the National Drug Control Strategy that*  
 3           *involve information properly classified under*  
 4           *criteria established by an Executive order shall*  
 5           *be presented to Congress separately from the rest*  
 6           *of the National Drug Control Strategy.*

7           “(C) *SELECTION OF DATA AND INFORMA-*  
 8           *TION.*—In selecting data and information for in-  
 9           *clusion under subparagraph (A), the Director*  
 10          *shall ensure—*

11           “(i) *the inclusion of data and informa-*  
 12           *tion that will permit analysis of current*  
 13           *trends against previously compiled data*  
 14           *and information where the Director believes*  
 15           *such analysis enhances long-term assessment*  
 16           *of the National Drug Control Strategy; and*

17           “(ii) *the inclusion of data and infor-*  
 18           *mation to permit a standardized and uni-*  
 19           *form assessment of the effectiveness of drug*  
 20           *treatment programs in the United States.*

21          “(3) *PROCESS FOR DEVELOPMENT AND SUBMIS-*  
 22          *SION.*—

23           “(A) *CONSULTATION.*—In developing and  
 24           *effectively implementing the National Drug Con-*  
 25           *trol Strategy, the Director—*

1 “(i) shall consult with—

2 “(I) the heads of the National  
3 Drug Control Program agencies;

4 “(II) Congress;

5 “(III) State and local officials;

6 “(IV) private citizens and organi-  
7 zations with experience and expertise  
8 in demand reduction;

9 “(V) private citizens and organi-  
10 zations with experience and expertise  
11 in supply reduction;

12 “(VI) private citizens and organi-  
13 zations with experience and expertise  
14 in law enforcement; and

15 “(VII) appropriate representatives  
16 of foreign governments;

17 “(ii) with the concurrence of the Attor-  
18 ney General, may require the El Paso Intel-  
19 ligence Center to undertake specific tasks or  
20 projects to implement the National Drug  
21 Control Strategy;

22 “(iii) with the concurrence of the Di-  
23 rector of Central Intelligence and the Attor-  
24 ney General, may request that the National  
25 Drug Intelligence Center undertake specific

1           *tasks or projects to implement the National*  
 2           *Drug Control Strategy; and*

3           “(iv) *may make recommendations to*  
 4           *the Secretary of Health and Human Serv-*  
 5           *ices on research that supports or advances*  
 6           *the National Drug Control Strategy.*

7           “(B) *RECOMMENDATIONS.—Recommendations*  
 8           *under subparagraph (A)(iv) may include*  
 9           *recommendations of research to be performed at*  
 10           *the National Institutes of Health, including the*  
 11           *National Institute on Drug Abuse, or any other*  
 12           *appropriate agency within the Department of*  
 13           *Health and Human Services.*

14           “(C) *INCLUSION IN STRATEGY.—The Na-*  
 15           *tional Drug Control Strategy under this sub-*  
 16           *section shall include a list of each entity con-*  
 17           *sulted under subparagraph (A)(i).*

18           “(4) *SUBMISSION OF REVISED STRATEGY.—The*  
 19           *President may submit to Congress a revised National*  
 20           *Drug Control Strategy that meets the requirements of*  
 21           *this section—*

22           “(A) *at any time, upon a determination by*  
 23           *the President, in consultation with the Director,*  
 24           *that the National Drug Control Strategy in effect*  
 25           *is not sufficiently effective; or*

1                   “(B) if a new President or Director takes  
2                   office.

3           “(b) *PERFORMANCE MEASUREMENT SYSTEM.*—Not  
4 later than February 1 of each year, the Director shall sub-  
5 mit to Congress a description of the national drug control  
6 performance measurement system, designed in consultation  
7 with affected National Drug Control Program agencies, that  
8 includes performance measures for the National Drug Con-  
9 trol Strategy and activities of National Drug Control Pro-  
10 gram agencies related to the National Drug Control Strat-  
11 egy.”.

12 **SEC. 6. HIGH INTENSITY DRUG TRAFFICKING AREAS PRO-**  
13 **GRAM.**

14           (a) *IN GENERAL.*—Section 707 (21 U.S.C. 1706) is  
15 amended to read as follows:

16 **“SEC. 707. HIGH INTENSITY DRUG TRAFFICKING AREAS**  
17 **PROGRAM.**

18           “(a) *ESTABLISHMENT.*—There is established in the Of-  
19 fice a program to be known as the High Intensity Drug  
20 Trafficking Areas Program (in this section referred to as  
21 the ‘Program’).

22           “(b) *PURPOSES.*—The purposes of the Program are the  
23 following:

24                   “(1) To reduce drug availability and facilitate  
25 cooperative efforts between Federal, State, and local

1       *law enforcement agencies in areas with significant*  
2       *drug trafficking problems that harmfully impact other*  
3       *parts of the Nation.*

4               “(2) *To provide assistance to agencies to come*  
5       *together to assess regional threats, design coordinated*  
6       *strategies to combat those threats, share intelligence,*  
7       *and develop and implement coordinated initiatives to*  
8       *implement the strategies.*

9               “(c) *DESIGNATION.—The Director, upon consultation*  
10       *with the Attorney General, the Secretary of the Treasury,*  
11       *the Secretary of Homeland Security, heads of the National*  
12       *Drug Control Program agencies, and the Governor of each*  
13       *applicable State, may designate any specified area of the*  
14       *United States as a high intensity drug trafficking area.*

15              “(d) *FACTORS FOR CONSIDERATION.—*

16                   “(1) *IN GENERAL.—In considering whether to*  
17       *designate an area under this section as a high inten-*  
18       *sity drug trafficking area, the Director shall consider,*  
19       *in addition to such other criteria as the Director con-*  
20       *siders to be appropriate, the extent to which—*

21                           “(A) *the area is a major center of illegal*  
22       *drug production, manufacturing, importation, or*  
23       *distribution for the United States as compared to*  
24       *other areas of the United States;*

1           “(B) State and local law enforcement agen-  
2           cies have committed resources to respond to the  
3           drug trafficking problem in the area, thereby in-  
4           dicating a determination to respond aggressively  
5           to the problem;

6           “(C) drug-related production, manufac-  
7           turing, importation, or distribution in the area  
8           is having a significant harmful impact in other  
9           areas of the United States; and

10          “(D) a significant increase in allocation of  
11          Federal resources is necessary to respond ade-  
12          quately to drug-related activities in the area.

13          “(2) CONSIDERATIONS.—For purposes of para-  
14          graph (1)(A), in considering whether an area is a  
15          major center of illegal drug production, manufac-  
16          turing, importation, or distribution as compared to  
17          other areas of the United States, the Director shall  
18          consider—

19               “(A) the quantity of illicit drug traffic en-  
20               tering or transiting the area originating in for-  
21               eign countries;

22               “(B) the quantity of illicit drugs produced  
23               in the area;

1           “(C) the number of Federal, State, and local  
2           arrests, prosecutions, and convictions for drug  
3           trafficking and distribution offenses in the area;

4           “(D) the degree to which the area is a center  
5           for the activities of national drug trafficking or-  
6           ganizations; and

7           “(E) such other criteria as the Director con-  
8           siders appropriate.

9           “(e) SOUTHWEST BORDER.—The Director may not  
10          designate any county contiguous to the international land  
11          border with Mexico as part of any high intensity drug traf-  
12          ficking area other than as part of a single Southwest Border  
13          high intensity drug trafficking area.

14          “(f) REMOVAL FROM DESIGNATION.—The Director  
15          may remove an area or portion of an area from designation  
16          as a high intensity drug trafficking area under this section  
17          upon determination that the area or portion of an area no  
18          longer is a high intensity drug trafficking area, considering  
19          the factors in subsections (d) and (e) in addition to such  
20          other criteria as the Director considers to be appropriate.

21          “(g) AUTHORITY OF THE DIRECTOR.—After making  
22          such a designation and in order to provide Federal assist-  
23          ance to the area so designated, the Director may—

24                 “(1) obligate such sums as appropriated for the  
25          Program, in accordance with subsection (h);



1           “(2) *direct the temporary reassignment of Fed-*  
2           *eral personnel to such area, subject to the approval of*  
3           *the head of the department or agency that employs*  
4           *such personnel; and*

5           “(3) *take any other action authorized under sec-*  
6           *tion 704 to provide increased Federal assistance to*  
7           *those areas.*

8           “(h) *ALLOCATION OF FUNDING.—In obligating sums*  
9           *appropriated for the Program, the Director shall comply*  
10          *with the following:*

11           “(1) *30 PERCENT SET ASIDE.—The Director*  
12           *shall expend no less than 30 percent of the amounts*  
13           *appropriated under this section in the seven high in-*  
14           *tensity drug trafficking areas (excluding the South-*  
15           *west Border high intensity drug trafficking area) for*  
16           *which the Director determines that Program activities*  
17           *with respect to such areas will have the greatest im-*  
18            *pact on reducing overall drug traffic in the United*  
19           *States.*

20           “(2) *25 PERCENT SET ASIDE.—The Director*  
21           *shall expend no less than 25 percent of the amounts*  
22           *appropriated under this section in nine other high in-*  
23           *tensity drug trafficking areas (excluding the South-*  
24           *west Border high intensity drug trafficking area) for*  
25           *which the Director determines that Program activities*

1       *with respect to such areas will have the next greatest*  
2       *impact on reducing overall drug traffic in the United*  
3       *States.*

4               “(3) *SOUTHWEST BORDER AREA.*—

5                       “(A) *20 PERCENT SET ASIDE.*—*The Direc-*  
6                       *tor shall expend no less than 20 percent of the*  
7                       *amounts appropriated under this section in the*  
8                       *Southwest Border high intensity drug trafficking*  
9                       *area.*

10                      “(B) *REALLOCATION WITHIN AREA.*—*The*  
11                      *executive committee of the Southwest Border high*  
12                      *intensity drug trafficking area may reallocate up*  
13                      *to five percent of the total funds allocated to that*  
14                      *area among its components, with the approval of*  
15                      *the Director.*

16               “(4) *REMAINING AREAS.*—*The Director shall ex-*  
17       *pend no less than 10 percent of the amounts appro-*  
18       *priated under this section in the remaining high in-*  
19       *tensity drug trafficking areas.*

20               “(5) *DISCRETIONARY EXPENDITURES.*—

21                      “(A) *IN GENERAL.*—*In addition to the*  
22                      *amounts allocated under paragraphs (1) through*  
23                      *(4) the Director may expend 15 percent of the*  
24                      *amounts appropriated under this section on a*  
25                      *discretionary basis.*

1                   “(B) *CONSIDERATION OF IMPACT.*—*In allo-*  
2                   *cating funds under this paragraph, the Director*  
3                   *shall consider—*

4                   “(i) *the impact of activities funded on*  
5                   *reducing overall drug traffic in the United*  
6                   *States;*

7                   “(ii) *performance measures of effective-*  
8                   *ness; and*

9                   “(iii) *such other criteria as the Direc-*  
10                  *tor considers appropriate.*

11               “(i) *USE OF FUNDS.*—

12               “(1) *LIMITATION.*—*No funds appropriated for*  
13               *the Program shall be expended for drug prevention or*  
14               *drug treatment programs.*

15               “(2) *LIMITATION ON APPLICABILITY.*—*Paragraph*  
16               *(1) shall not apply with respect to the Baltimore/*  
17               *Washington high intensity drug trafficking area.*

18               “(j) *TERRORISM ACTIVITIES.*—

19               “(1) *ASSISTANCE AUTHORIZED.*—*The Director*  
20               *may authorize use of resources available for the Pro-*  
21               *gram to assist Federal, State, and local law enforce-*  
22               *ment agencies in investigations and activities related*  
23               *to terrorism and prevention of terrorism, especially*  
24               *but not exclusively where such investigations are re-*  
25               *lated to drug trafficking.*

1           “(2) *LIMITATION.—The Director shall ensure—*

2                   “(A) *that assistance provided under para-*  
3                   *graph (1) remains incidental to the purpose of*  
4                   *the Program to reduce drug availability and*  
5                   *carry out drug-related law enforcement activi-*  
6                   *ties; and*

7                   “(B) *that significant resources of the Pro-*  
8                   *gram are not redirected to activities exclusively*  
9                   *related to terrorism.*

10           “(k) *BOARD REPRESENTATION.—None of the funds ap-*  
11           *propriated under this section may be expended for any high*  
12           *intensity drug trafficking area, or for a partnership under*  
13           *the Program, if the executive board or equivalent governing*  
14           *committee with respect to such area or partnership is not*  
15           *comprised of equal voting representation between represent-*  
16           *atives of Federal law enforcement agencies and representa-*  
17           *tives of State and local law enforcement agencies.*

18           “(l) *ROLE OF DRUG ENFORCEMENT ADMINISTRA-*  
19           *TION.—The Director, in consultation with the Attorney*  
20           *General, shall ensure that a representative of the Drug En-*  
21           *forcement Administration is included in the Intelligence*  
22           *Support Center for each high intensity drug trafficking*  
23           *area.*

1       “(m) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
2 *authorized to be appropriated to the Office of National*  
3 *Drug Control Policy to carry out this section—*

4               “(1) \$230,000,000 for fiscal year 2004;

5               “(2) \$240,000,000 for each of fiscal years 2005  
6 *and 2006; and*

7               “(3) \$250,000,000 for each of fiscal years 2007  
8 *and 2008.”.*

9       “(b) *REVIEW OF CURRENT AREAS.—Within one year*  
10 *after the date of enactment of this Act, the Director of Na-*  
11 *tional Drug Control Policy shall—*

12               (1) *review each of the areas currently designated*  
13 *as a high intensity drug trafficking area to determine*  
14 *whether it continues to warrant designation as a high*  
15 *intensity drug trafficking area, considering the fac-*  
16 *tors in section 707(d) of the Office of National Drug*  
17 *Control Policy Reauthorization Act of 1998, as*  
18 *amended by this section, in addition to such other*  
19 *criteria as the Director considers to be appropriate;*  
20 *and*

21               (2) *terminate such description for an area or*  
22 *portion of an area determined to no longer warrant*  
23 *designation.*

1 **SEC. 7. FUNDING FOR CERTAIN HIGH INTENSITY DRUG**  
2 **TRAFFICKING AREAS.**

3 (a) *SHORT TITLE.*—*This section may be cited as the*  
4 *“Dawson Family Community Protection Act”.*

5 (b) *FINDINGS.*—*Congress finds the following:*

6 (1) *In the early morning hours of October 16,*  
7 *2002, the home of Carnell and Angela Dawson was*  
8 *firebombed in apparent retaliation for Mrs. Dawson’s*  
9 *notification of police about persistent drug distribu-*  
10 *tion activity in their East Baltimore City neighbor-*  
11 *hood.*

12 (2) *The arson claimed the lives of Mr. and Mrs.*  
13 *Dawson and their 5 young children, aged 9 to 14.*

14 (3) *The horrific murder of the Dawson family is*  
15 *a stark example of domestic narco-terrorism.*

16 (4) *In all phases of counter-narcotics law en-*  
17 *forcement—from prevention to investigation to pros-*  
18 *ecution to reentry—the voluntary cooperation of ordi-*  
19 *nary citizens is a critical component.*

20 (5) *Voluntary cooperation is difficult for law en-*  
21 *forcement officials to obtain when citizens feel that co-*  
22 *operation carries the risk of violent retaliation by ille-*  
23 *gal drug trafficking organizations and their affiliates.*

24 (6) *Public confidence that law enforcement is*  
25 *doing all it can to make communities safe is a pre-*

1       requisite for voluntary cooperation among people who  
2       may be subject to intimidation or reprisal (or both).

3           (7) Witness protection programs are insufficient  
4       on their own to provide security because many indi-  
5       viduals and families who strive every day to make  
6       distressed neighborhoods livable for their children,  
7       other relatives, and neighbors will resist or refuse of-  
8       fers of relocation by local, State, and Federal prosecu-  
9       torial agencies and because, moreover, the continued  
10      presence of strong individuals and families is critical  
11      to preserving and strengthening the social fabric in  
12      such communities.

13          (8) Where (as in certain sections of Baltimore  
14      City) interstate trafficking of illegal drugs has severe  
15      ancillary local consequences within areas designated  
16      as high intensity drug trafficking areas, it is impor-  
17      tant that supplementary High Intensity Drug Traf-  
18      ficking Areas Program funds be committed to support  
19      initiatives aimed at making the affected communities  
20      safe for the residents of those communities and en-  
21      couraging their cooperation with local, State, and  
22      Federal law enforcement efforts to combat illegal drug  
23      trafficking.

24          (c) *FUNDING FOR CERTAIN HIGH INTENSITY DRUG*  
25      *TRAFFICKING AREAS.*—Section 707 (21 U.S.C. 1706) is

1 *further amended in subsection (h) by adding at the end the*  
2 *following new paragraph:*

3 “(6) *SPECIFIC PURPOSES.*—

4 “(A) *IN GENERAL.*—*The Director shall en-*  
5 *sure that, of the amounts appropriated for a fis-*  
6 *cal year for the Program, at least \$1,000,000 is*  
7 *used in high intensity drug trafficking areas*  
8 *with severe neighborhood safety and illegal drug*  
9 *distribution problems.*

10 “(B) *REQUIRED USES.*—*The funds used*  
11 *under subparagraph (A) shall be used—*

12 “(i) *to ensure the safety of neighbor-*  
13 *hoods and the protection of communities,*  
14 *including the prevention of the intimidation*  
15 *of potential witnesses of illegal drug dis-*  
16 *tribution and related activities; and*

17 “(ii) *to combat illegal drug trafficking*  
18 *through such methods as the Director con-*  
19 *siders appropriate, such as establishing or*  
20 *operating (or both) a toll-free telephone hot-*  
21 *line for use by the public to provide infor-*  
22 *mation about illegal drug-related activi-*  
23 *ties.”.*



1 **SEC. 8. AMENDMENTS RELATING TO COUNTER-DRUG TECH-**  
 2 **NOLOGY ASSESSMENT CENTER.**

3 (a) *CHIEF SCIENTIST.*—Section 708(b) (21 U.S.C.  
 4 1707(b)) is amended—

5 (1) in the heading by striking “DIRECTOR OF  
 6 TECHNOLOGY.—” and inserting “CHIEF SCI-  
 7 ENTIST.—”; and

8 (2) by striking “Director of Technology,” and in-  
 9 serting “Chief Scientist,”.

10 (b) *ADDITIONAL RESPONSIBILITIES OF DIRECTOR.*—  
 11 Section 708(c) (21 U.S.C. 1707(c)) is amended to read as  
 12 follows:

13 “(c) *ADDITIONAL RESPONSIBILITIES OF THE DIREC-*  
 14 *TOR OF NATIONAL DRUG CONTROL POLICY.*—

15 “(1) *IN GENERAL.*—The Director, acting through  
 16 the Chief Scientist shall—

17 “(A) identify and define the short-, me-  
 18 dium-, and long-term scientific and technological  
 19 needs of Federal, State, and local law enforce-  
 20 ment agencies relating to drug enforcement, in-  
 21 cluding—

22 “(i) advanced surveillance, tracking,  
 23 and radar imaging;

24 “(ii) electronic support measures;

25 “(iii) communications;

1                   “(iv) data fusion, advanced computer  
2                   systems, and artificial intelligence; and

3                   “(v) chemical, biological, radiological  
4                   (including neutron, electron, and graviton),  
5                   and other means of detection;

6                   “(B) identify demand reduction (including  
7                   drug prevention) basic and applied research  
8                   needs and initiatives, in consultation with af-  
9                   fected National Drug Control Program agencies,  
10                  including—

11                  “(i) improving treatment through  
12                  neuroscientific advances;

13                  “(ii) improving the transfer of bio-  
14                  medical research to the clinical setting; and

15                  “(iii) in consultation with the Na-  
16                  tional Institute on Drug Abuse and the  
17                  Substance Abuse and Mental Health Serv-  
18                  ices Administration, and through inter-  
19                  agency agreements or grants, examining ad-  
20                  diction and rehabilitation research and the  
21                  application of technology to expanding the  
22                  effectiveness or availability of drug treat-  
23                  ment;

24                  “(C) make a priority ranking of such needs  
25                  identified in subparagraphs (A) and (B) accord-

1        *ing to fiscal and technological feasibility, as part*  
2        *of a National Counter-Drug Enforcement Re-*  
3        *search and Development Program;*

4                *“(D) oversee and coordinate counter-drug*  
5        *technology initiatives with related activities of*  
6        *other Federal civilian and military departments;*

7                *“(E) oversee and coordinate a technology*  
8        *transfer program for the transfer of technology to*  
9        *State and local law enforcement agencies; and*

10               *“(F) pursuant to the authority of the Direc-*  
11        *tor of National Drug Control Policy under sec-*  
12        *tion 704, submit requests to Congress for the re-*  
13        *programming or transfer of funds appropriated*  
14        *for counter-drug technology research and develop-*  
15        *ment.*

16               *“(2) PRIORITIES IN TRANSFERRING TECH-*  
17        *NOLOGY.—In transferring technology under the au-*  
18        *thority of paragraph (1)(E), the Chief Scientist shall*  
19        *give priority, in transferring technologies most likely*  
20        *to assist in drug interdiction and border enforcement,*  
21        *to State, local, and tribal law enforcement agencies in*  
22        *southwest border areas and northern border areas*  
23        *with significant traffic in illicit drugs.*

24               *“(3) LIMITATION ON AUTHORITY.—The authority*  
25        *granted to the Director under this subsection shall not*

1       *extend to the award of contracts, management of indi-*  
 2       *vidual projects, or other operational activities.”.*

3       (c) *ASSISTANCE FROM SECRETARY OF HOMELAND SE-*  
 4       *CURITY.—Section 708(d) (21 U.S.C. 1707(d)) is amended*  
 5       *by inserting “, the Secretary of Homeland Security,” after*  
 6       *“The Secretary of Defense”.*

7       **SEC. 9. REPEALS.**

8       *The following provisions are repealed:*

9               (1) *Sections 709 and 711 (21 U.S.C. 1708 and*  
 10       *1710).*

11              (2) *Section 6073 of the Asset Forfeiture Amend-*  
 12       *ments Act of 1988 (21 U.S.C. 1509).*

13       **SEC. 10. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.**

14       (a) *IN GENERAL.—The Act is further amended by in-*  
 15       *serting after section 708 the following:*

16       **“SEC. 709. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.**

17              “(a) *IN GENERAL.—The Director shall conduct a na-*  
 18       *tional media campaign in accordance with this section for*  
 19       *the purpose of reducing and preventing illicit drug use*  
 20       *among young people in the United States, through mass*  
 21       *media advertising.*

22              “(b) *USE OF FUNDS.—*

23                      “(1) *IN GENERAL.—Amounts made available to*  
 24       *carry out this section for the media campaign may*  
 25       *only be used for the following:*

1                   “(A) *The purchase of media time and space.*

2                   “(B) *Creative and talent costs.*

3                   “(C) *Advertising production costs.*

4                   “(D) *Testing and evaluation of advertising.*

5                   “(E) *Evaluation of the effectiveness of the*  
6                   *media campaign.*

7                   “(F) *The negotiated fees for the winning*  
8                   *bidder on requests for proposals issued either by*  
9                   *the Office or its designee for purposes otherwise*  
10                  *authorized in this section.*

11                  “(G) *Partnerships with community, civic,*  
12                  *and professional groups and government organi-*  
13                  *zations related to the media campaign.*

14                  “(H) *Entertainment industry outreach,*  
15                  *interactive outreach, media projects and activi-*  
16                  *ties, public information, news media outreach,*  
17                  *and corporate sponsorship and participation.*

18                  “(I) *Operational and management expenses.*

19                  “(2) *SPECIFIC REQUIREMENTS.—*

20                  “(A) *CREATIVE SERVICES.—*

21                         “(i) *In using amounts for creative and*  
22                         *talent costs under paragraph (1)(B), the Di-*  
23                         *rector shall use creative services donated at*  
24                         *no cost to the Government wherever feasible*

1                   *and may only procure creative services for*  
2                   *advertising—*

3                   “(I) *responding to high-priority*  
4                   *or emergent campaign needs that can-*  
5                   *not timely be obtained at no cost; or*

6                   “(II) *intended to reach a minor-*  
7                   *ity, ethnic, or other special audience*  
8                   *that cannot reasonably be obtained at*  
9                   *no cost.*

10                  “(ii) *No more than \$1,000,000 may be*  
11                  *expended under this section each fiscal year*  
12                  *on creative services, except that the Director*  
13                  *may expend up to \$2,000,000 in a fiscal*  
14                  *year on creative services to meet urgent*  
15                  *needs of the media campaign with advance*  
16                  *approval from the Committee on Appro-*  
17                  *priations of the House of Representatives*  
18                  *and of the Senate upon a showing of the*  
19                  *circumstances causing such urgent needs of*  
20                  *the media campaign.*

21                  “(B) *TESTING AND EVALUATION OF ADVER-*  
22                  *TISING.—In using amounts for testing and eval-*  
23                  *uation of advertising under paragraph (1)(D),*  
24                  *the Director shall test all advertisements prior to*  
25                  *use in the media campaign to ensure that the*

1        *advertisements are effective and meet industry-*  
2        *accepted standards. The Director may waive this*  
3        *requirement for advertisements using no more*  
4        *than 10 percent of the purchase of advertising*  
5        *time purchased under this section in an fiscal*  
6        *year and no more than 10 percent of the adver-*  
7        *tising space purchased under this section in a*  
8        *fiscal year, if the advertisements respond to*  
9        *emergent and time-sensitive campaign needs or*  
10       *the advertisements will not be widely utilized in*  
11       *the media campaign.*

12       “(C) *EVALUATION OF EFFECTIVENESS OF*  
13       *MEDIA CAMPAIGN.—In using amounts for the*  
14       *evaluation of the effectiveness of the media cam-*  
15       *pany under paragraph (1)(E), the Director*  
16       *shall—*

17                “(i) *designate an independent entity to*  
18                *evaluate annually the effectiveness of the na-*  
19                *tional media campaign based on data*  
20                *from—*

21                        “(I) *the ‘Monitoring the Future*  
22                        *Study’ published by the Department of*  
23                        *Health and Human Services;*

1                   “(II) *the Attitude Tracking Study*  
2                   *published by the Partnership for a*  
3                   *Drug Free America;*

4                   “(III) *the National Household*  
5                   *Survey on Drug Abuse; and*

6                   “(IV) *other relevant studies or*  
7                   *publications, as determined by the Di-*  
8                   *rector, including tracking and evalua-*  
9                   *tion data collected according to mar-*  
10                  *keting and advertising industry stand-*  
11                  *ards; and*

12                  “(ii) *ensure that the effectiveness of the*  
13                  *media campaign is evaluated in a manner*  
14                  *that enables consideration of whether the*  
15                  *media campaign has contributed to reduc-*  
16                  *tion of illicit drug use among youth and*  
17                  *such other measures of evaluation as the Di-*  
18                  *rector determines are appropriate.*

19                  “(3) *PURCHASE OF ADVERTISING TIME AND*  
20                  *SPACE.—For each fiscal year, not less than 77 percent*  
21                  *of the amounts appropriated under this section shall*  
22                  *be used for the purchase of advertising time and space*  
23                  *for the media campaign, subject to the following ex-*  
24                  *ceptions:*



1           “(A) *In any fiscal year for which less than*  
2           *\$125,000,000 is appropriated for the media cam-*  
3           *pany, not less than 82 percent of the amounts*  
4           *appropriated under this section shall be used for*  
5           *the purchase of advertising time and space for*  
6           *the media campaign.*

7           “(B) *In any fiscal year for which more*  
8           *than \$195,000,000 is appropriated under this*  
9           *section, not less than 72 percent shall be used for*  
10          *advertising production costs and the purchase of*  
11          *advertising time and space for the media cam-*  
12          *pany.*

13          “(c) *ADVERTISING.—In carrying out this section, the*  
14          *Director shall devote sufficient funds to the advertising por-*  
15          *tion of the national media campaign to meet the goals of*  
16          *the campaign.*

17          “(d) *PROHIBITIONS.—None of the amounts made*  
18          *available under subsection (b) may be obligated or expended*  
19          *for any of the following:*

20                 “(1) *To supplant current antidrug community-*  
21                 *based coalitions.*

22                 “(2) *To supplant pro bono public service time*  
23                 *donated by national and local broadcasting networks*  
24                 *for other public service campaigns.*

1           “(3) *For partisan political purposes, or express*  
 2           *advocacy in support of or to defeat any clearly identi-*  
 3           *fied candidate, clearly identified ballot initiative, or*  
 4           *clearly identified legislative or regulatory proposal.*

5           “(4) *To fund advertising that features any elect-*  
 6           *ed officials, persons seeking elected office, cabinet level*  
 7           *officials, or other Federal officials employed pursuant*  
 8           *to section 213 of Schedule C of title 5, Code of Federal*  
 9           *Regulations.*

10          “(5) *To fund advertising that does not contain*  
 11          *a primary message intended to reduce or prevent il-*  
 12          *licit drug use.*

13          “(6) *To fund advertising containing a primary*  
 14          *message intended to promote support for the media*  
 15          *campaign or private sector contributions to the media*  
 16          *campaign.*

17          “(e) *MATCHING REQUIREMENT.—*

18               “(1) *IN GENERAL.—Amounts made available*  
 19               *under subsection (b) shall be matched by an equal*  
 20               *amount of non-Federal funds for the media cam-*  
 21               *paign, or be matched with in-kind contributions of*  
 22               *the same value.*

23               “(2) *NO-COST MATCH ADVERTISING DIRECT RE-*  
 24               *LATIONSHIP REQUIREMENT.—The Director shall en-*  
 25               *sure that at least 70 percent of no-cost match adver-*

1        *tising provided directly relates to substance abuse pre-*  
 2        *vention consistent with the specific purposes of the*  
 3        *media campaign, except that in any fiscal year in*  
 4        *which less than \$125,000,000 is appropriated to the*  
 5        *media campaign, the Director shall ensure that at*  
 6        *least 85 percent of no-cost match advertising directly*  
 7        *relates to substance abuse prevention consistent with*  
 8        *the specific purposes of the media campaign.*

9                *“(3) NO-COST MATCH ADVERTISING NOT DI-*  
 10        *RECTLY RELATED.—The Director shall ensure that*  
 11        *no-cost match advertising that does not directly relate*  
 12        *to substance abuse prevention includes a clear anti-*  
 13        *drug message. Such message is not required to be the*  
 14        *primary message of the match advertising.*

15                *“(f) FINANCIAL AND PERFORMANCE ACCOUNT-*  
 16        *ABILITY.—The Director shall cause to be performed—*

17                *“(1) audits and reviews of costs of the media*  
 18        *campaign pursuant to section 304C of the Federal*  
 19        *Property and Administrative Services Act of 1949 (41*  
 20        *U.S.C. 254d); and*

21                *“(2) an audit of the cost of the media campaign*  
 22        *described in section 306 of such Act (41 U.S.C. 256).*

23                *“(g) STRATEGIC GUIDANCE AND DONATIONS.—The*  
 24        *Partnership for a Drug Free America shall serve as the pri-*  
 25        *mary outside strategic advisor to the media campaign and*

1 *be responsible for coordinating donations of creative and*  
2 *other services to the campaign, except with respect to adver-*  
3 *tising created using funds permitted in subsection (b). The*  
4 *Director shall inform the Partnership for a Drug Free*  
5 *America of the strategic goals of the campaign and consider*  
6 *advice from the Partnership for a Drug Free America on*  
7 *media campaign strategy.*

8       “(h) *REPORT TO CONGRESS.—The Director shall sub-*  
9 *mit on an annual basis a report to Congress that de-*  
10 *scribes—*

11               “(1) *the strategy of the media campaign and*  
12 *whether specific objectives of the media campaign*  
13 *were accomplished;*

14               “(2) *steps taken to ensure that the media cam-*  
15 *campaign operates in an effective and efficient manner*  
16 *consistent with the overall strategy and focus of the*  
17 *media campaign;*

18               “(3) *plans to purchase advertising time and*  
19 *space;*

20               “(4) *policies and practices implemented to en-*  
21 *sure that Federal funds are used responsibly to pur-*  
22 *chase advertising time and space and eliminate the*  
23 *potential for waste, fraud, and abuse; and*

1           “(5) all contracts entered into with a corpora-  
2           tion, partnership, or individual working on behalf of  
3           the media campaign.

4           “(i) *LOCAL TARGET REQUIREMENT.*—The Director  
5           shall, to the maximum extent feasible, use amounts made  
6           available under this section for media that focuses on, or  
7           includes specific information on, prevention or treatment  
8           resources for consumers within specific local areas.

9           “(j) *PREVENTION OF MARIJUANA USE.*—

10           “(1) *FINDINGS.*—The Congress finds the fol-  
11           lowing:

12                   “(A) 60 percent of adolescent admissions for  
13                   drug treatment are based on marijuana use.

14                   “(B) Potency levels of contemporary mari-  
15                   juana, particularly hydroponically grown mari-  
16                   juana, are significantly higher than in the past,  
17                   rising from under 1 percent of THC in the mid-  
18                   1970s to as high as 30 percent today.

19                   “(C) Contemporary research has dem-  
20                   onstrated that youths smoking marijuana early  
21                   in life may be up to five times more likely to use  
22                   hard drugs.

23                   “(D) Contemporary research has dem-  
24                   onstrated clear detrimental effects in adolescent

1        *educational achievement resulting from mari-*  
2        *juana use.*

3            *“(E) Contemporary research has dem-*  
4        *onstrated clear detrimental effects in adolescent*  
5        *brain development resulting from marijuana use.*

6            *“(F) An estimated 9,000,000 Americans a*  
7        *year drive while under the influence of illegal*  
8        *drugs, including marijuana.*

9            *“(G) Marijuana smoke contains 50 to 70*  
10       *percent more of certain cancer causing chemicals*  
11       *than tobacco smoke.*

12           *“(H) Teens who use marijuana are up to*  
13       *four times more likely to have a teen pregnancy*  
14       *than teens who have not.*

15           *“(I) Federal law enforcement agencies have*  
16       *identified clear links suggesting that trade in hy-*  
17       *droponic marijuana facilitates trade by criminal*  
18       *organizations in hard drugs, including heroin.*

19           *“(J) Federal law enforcement agencies have*  
20       *identified possible links between trade in mari-*  
21       *juana and financing for terrorist organizations.*

22           *“(2) EMPHASIS ON PREVENTION OF YOUTH MARI-*  
23       *JUANA USE.—In conducting advertising and activities*  
24       *otherwise authorized under this section, the Director*  
25       *may emphasize prevention of youth marijuana use.*

1       “(k) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
 2 *authorized to be appropriated to the Office to carry out this*  
 3 *section, \$195,000,000 for each of fiscal years 2004 and 2005*  
 4 *and \$210,000,000 for each of fiscal years 2006 through*  
 5 *2008.”.*

6       (b) *REPEAL OF SUPERSEDED PROVISIONS.*—*The*  
 7 *Drug-Free Media Campaign Act of 1998 (21 U.S.C. 1801*  
 8 *et seq.) is repealed.*

9       **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

10       *Section 714 (21 U.S.C. 1711) is amended—*

11               (1) *by striking “title,” and inserting “title, ex-*  
 12 *cept activities for which amounts are otherwise spe-*  
 13 *cifically authorized by this title,”; and*

14               (2) *by striking “1999 through 2003” and insert-*  
 15 *ing “2004 through 2008”.*

16       **SEC. 12. EXTENSION OF TERMINATION DATE.**

17       *Section 715(a) is amended by striking “September 30,*  
 18 *2003, this title and the amendments made by this title are*  
 19 *repealed” and inserting “September 30, 2008, this title is*  
 20 *repealed”.*

21       **SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CON-**  
 22                               **TENTS.**

23       **(a) SHORT TITLE.—This Act may be cited as**  
 24 **the “Office of National Drug Control Policy**  
 25 **Reauthorization Act of 2003”.**

1       **(b) AMENDMENT OF OFFICE OF NATIONAL**  
 2 **DRUG CONTROL POLICY REAUTHORIZATION ACT**  
 3 **OF 1998.—Except as otherwise expressly pro-**  
 4 **vided, whenever in this Act an amendment or**  
 5 **repeal is expressed in terms of an amendment**  
 6 **to, or repeal of, a section or other provision,**  
 7 **the reference shall be considered to be made**  
 8 **to a section or other provision of the Office**  
 9 **of National Drug Control Policy Reauthoriza-**  
 10 **tion Act of 1998 (Public Law 105–277; 21 U.S.C.**  
 11 **1701 et seq.).**

12       **(c) TABLE OF CONTENTS.—The table of con-**  
 13 **tents of this Act is as follows:**

- Sec. 1. Short title; references; table of contents.
- Sec. 2. Amendments to definitions.
- Sec. 3. Amendments relating to appointment and duties of Director and Deputy Directors.
- Sec. 4. Amendments relating to coordination with other agencies.
- Sec. 5. Development, submission, implementation, and assessment of National Drug Control Strategy.
- Sec. 6. High intensity drug trafficking areas program.
- Sec. 7. Funding for certain high intensity drug trafficking areas.
- Sec. 8. Amendments relating to Counter-Drug Technology Assessment Center.
- Sec. 9. Repeals.
- Sec. 10. National Youth Antidrug Media Campaign.
- Sec. 11. Authorization of appropriations.
- Sec. 12. Extension of termination date.

14 **SEC. 2. AMENDMENTS TO DEFINITIONS.**

15       **(a) AMENDMENTS TO DEFINITIONS.—Section**  
 16 **702 (21 U.S.C. 1701) is amended—**

17               **(1) in paragraph (1)—**



1           (A) by striking “and” at the end of  
2           subparagraph (F);

3           (B) by striking the period at the  
4           end of subparagraph (G) and insert-  
5           ing a semicolon; and

6           (C) by adding at the end the fol-  
7           lowing:

8           “(H) interventions for drug abuse  
9           and dependence; and

10          “(I) international drug control co-  
11          ordination and cooperation with re-  
12          spect to activities described in this  
13          paragraph.”.

14          (2) in paragraph (9), by striking “im-  
15          plicates” and inserting “indicates”;

16          (3) in paragraph (10)—

17               (A) by striking “and” at the end of  
18               subparagraph (B);

19               (B) by striking the period at the  
20               end of subparagraph (C) and insert-  
21               ing “; and”; and

22               (C) by adding at the end the fol-  
23               lowing:

1           “(D) domestic drug law enforce-  
2           ment, including law enforcement di-  
3           rected at drug users.”; and

4           (4) in paragraph (11)—

5           (A) by inserting before the semi-  
6           colon in subparagraph (A) the fol-  
7           lowing: “(including source country  
8           programs, and law enforcement out-  
9           side the United States)”;

10          (B) by inserting “and” after the  
11          semicolon in subparagraph (B);

12          (C) by striking “; and” at the end  
13          of subparagraph (C) and inserting a  
14          period; and

15          (D) by striking subparagraph (D).

16       (b) CONFORMING AMENDMENTS.—Section  
17       703(b)(3) (21 U.S.C. 1702(b)(3)) is amended—

18           (1) in subparagraph (A), by striking  
19           “(G)” and inserting “(H)”;

20           (2) in subparagraph (C)—

21           (A) by striking “(C)” and inserting  
22           “(D)”;

23           (B) by striking “and subpara-  
24           graph (D) of section 702(11)”.

1 SEC. 3. AMENDMENTS RELATING TO APPOINTMENT AND  
2 DUTIES OF DIRECTOR AND DEPUTY DIREC-  
3 TORS.

4 (a) DESIGNATION OF OTHER OFFICERS.—Sec-  
5 tion 704(a)(3) (21 U.S.C. 1703(a)(3)) is amend-  
6 ed—

7 (1) by striking “permanent employee”  
8 and inserting “officer or employee”; and

9 (2) by striking “serve as the Director”  
10 and inserting “serve as the acting Direc-  
11 tor”.

12 (b) RESPONSIBILITIES OF DIRECTOR.—Sec-  
13 tion 704(b) (21 U.S.C. 1703(b)) is amended—

14 (1) in paragraph (4), by striking “Fed-  
15 eral departments and agencies engaged  
16 in drug enforcement,” and inserting “Na-  
17 tional Drug Control Program agencies,”;

18 (2) by inserting “and” at the end of  
19 paragraph (12);

20 (3) by striking paragraphs (13) and  
21 (14); and

22 (4) by redesignating paragraph (15) as  
23 paragraph (13).

24 (c) REVIEW AND CERTIFICATION OF NATIONAL  
25 DRUG CONTROL PROGRAM BUDGET.—Section  
26 704(c)(3) (21 U.S.C. 1703(c)(3)) is amended—

1           (1) by redesignating subparagraphs  
2           (C) and (D) as subparagraphs (D) and (E),  
3           respectively;

4           (2) by inserting after subparagraph  
5           (B) the following new subparagraph:

6                   “(C) SPECIFIC REQUESTS.—The Di-  
7           rector shall not confirm the adequacy  
8           of any budget request that—

9                           “(i) requests funding for Fed-  
10                          eral law enforcement activities  
11                          that do not adequately com-  
12                          pensate for transfers of drug en-  
13                          forcement resources and per-  
14                          sonnel to law enforcement and in-  
15                          vestigation activities not related  
16                          to drug enforcement as deter-  
17                          mined by the Director;

18                           “(ii) requests funding for law  
19                          enforcement activities on the bor-  
20                          ders of the United States that do  
21                          not adequately direct resources to  
22                          drug interdiction and enforce-  
23                          ment as determined by the Direc-  
24                          tor;

1           “(iii) requests funding for  
2           drug treatment activities that do  
3           not provide adequate result and  
4           accountability measures as deter-  
5           mined by the Director;

6           “(iv) requests funding for any  
7           activities of the Safe and Drug  
8           Free Schools Program that do not  
9           include a clear antidrug message  
10          or purpose intended to reduce  
11          drug use;

12          “(v) requests funding to en-  
13          force section 484(r)(1) of the High-  
14          er Education Act of 1965 (20  
15          U.S.C. 1091(r)(1)) with respect to  
16          convictions for drug-related of-  
17          fenses not occurring during a pe-  
18          riod of enrollment for which the  
19          student was receiving any Fed-  
20          eral grant, loan, or work assist-  
21          ance;

22          “(vi) requests funding for  
23          drug treatment activities that do  
24          not adequately support and en-  
25          hance Federal drug treatment

1           **programs and capacity, as deter-**  
2           **mined by the Director; or**

3           **“(vii) requests funding for fis-**  
4           **cal year 2005 for activities of the**  
5           **Department of Education, unless**  
6           **it is accompanied by a report set-**  
7           **ting forth a plan for providing ex-**  
8           **pedited consideration of student**  
9           **loan applications for all individ-**  
10          **uals who submitted an applica-**  
11          **tion for any Federal grant, loan,**  
12          **or work assistance that was re-**  
13          **jected or denied pursuant to sec-**  
14          **tion 484(r)(1) of the Higher Edu-**  
15          **cation Act of 1965 (20 U.S.C.**  
16          **1091(r)(1)) by reason of a convic-**  
17          **tion for a drug-related offense not**  
18          **occurring during a period of en-**  
19          **rollment for which the individual**  
20          **was receiving any Federal grant,**  
21          **loan, or work assistance.”;**

22          **(3) in subparagraph (D)(iii), as so re-**  
23          **designated, by inserting “and the author-**  
24          **izing committees of Congress for the Of-**

1        **“Office” after “House of Representatives”;**  
2        **and**

3            **(4) in subparagraph (E)(ii)(II)(bb), as**  
4        **so redesignated, by inserting “and the au-**  
5        **thorizing committees of Congress for the**  
6        **Office” after “House of Representatives”.**

7        **(d) REPROGRAMMING AND TRANSFER RE-**  
8        **QUESTS.—Section 704(c)(4)(A) (21 U.S.C.**  
9        **1703(c)(4)(A)) is amended by striking**  
10       **“\$5,000,000” and inserting “\$1,000,000”.**

11       **(e) POWERS OF DIRECTOR.—Section 704(d)**  
12       **(21 U.S.C. 1703(d)) is amended—**

13            **(1) in paragraph (8)(D), by striking**  
14        **“have been authorized by Congress;” and**  
15        **inserting “authorized by law;”;**

16            **(2) in paragraph (9)—**

17            **(A) by inserting “notwithstanding**  
18        **any other provision of law,” after**  
19        **“(9)”; and**

20            **(B) by striking “Strategy; and”**  
21        **and inserting “Strategy and notify**  
22        **the authorizing Committees of Con-**  
23        **gress for the Office of any fund con-**  
24        **trol notice issued;”;**

1           (3) in paragraph (10), by striking “(22  
2       U.S.C. 2291j).” and inserting “(22 U.S.C.  
3       2291j) and section 706 of the Department  
4       of State Authorization Act for Fiscal Year  
5       2003 (22 U.S.C. 229j-1);”;

6           (4) by adding at the end the following  
7       new paragraphs:

8           “(11) not later than August 1 of each  
9       year, submit to the President a report,  
10      and transmit copies of the report to the  
11      Secretary of State and the authorizing  
12      committees of Congress for the Office,  
13      that—

14           “(A) provides the Director’s as-  
15      sessment of which countries are  
16      major drug transit countries or major  
17      illicit drug producing countries as de-  
18      fined in section 481(e) of the Foreign  
19      Assistance Act of 1961;

20           “(B) provides the Director’s as-  
21      sessment of whether each country  
22      identified under subparagraph (A)  
23      has cooperated fully with the United  
24      States or has taken adequate steps on  
25      its own to achieve full compliance



1 with the goals and objectives estab-  
2 lished by the United Nations Conven-  
3 tion Against Illicit Traffic in Narcotic  
4 Drugs and Psychotropic Substances  
5 and otherwise has assisted in reduc-  
6 ing the supply of illicit drugs to the  
7 United States; and

8 “(C) provides the Director’s as-  
9 sessment of whether application of  
10 procedures set forth in section 490(a)  
11 through (h) of the Foreign Assistance  
12 Act of 1961, as provided in section 706  
13 of the Department of State Authoriza-  
14 tion Act for Fiscal Year 2003, is war-  
15 ranted with respect to countries the  
16 Director assesses have not cooper-  
17 ated fully; and

18 “(12) appoint a United States Inter-  
19 diction Coordinator under subsection  
20 (i).”.

21 (f) UNITED STATES INTERDICTION COORDI-  
22 NATOR.—Section 704 (21 U.S.C. 1703) is further  
23 amended by adding at the end the following:

24 “(i) UNITED STATES INTERDICTION COORDI-  
25 NATOR.—

1           **“(1) IN GENERAL.—There shall be in**  
2           **the Office a United States Interdiction**  
3           **Coordinator, who shall be appointed by**  
4           **the Director and shall perform duties de-**  
5           **termined by the Director with respect to**  
6           **coordination of efforts to interdict illicit**  
7           **drugs from the United States.**

8           **“(2) APPOINTMENT.—**

9           **“(A) IN GENERAL.—Notwith-**  
10           **standing any other provision of law**  
11           **(except subparagraph (B)), the Direc-**  
12           **tor may appoint any individual to**  
13           **serve as the United States Interdic-**  
14           **tion Coordinator.**

15           **“(B) LIMITATION.—The Director**  
16           **may not appoint to such position any**  
17           **individual who concurrently serves**  
18           **as the head of any other Federal de-**  
19           **partment or agency or any subdivi-**  
20           **sion thereof with responsibility for**  
21           **narcotics interdiction activities, ex-**  
22           **cept the counternarcotics officer of**  
23           **the Department of Homeland Secu-**  
24           **rity appointed under section 878 of**

1           the Homeland Security Act of 2002 (6  
2           U.S.C. 458).”.

3           (g) REQUIREMENT FOR SOUTH AMERICAN  
4   HEROIN STRATEGY.—

5           (1) IN GENERAL.—Not later than 90  
6           days after the date of the enactment of  
7           this Act, the Director of National Drug  
8           Control Policy shall submit to the Con-  
9           gress a comprehensive strategy that ad-  
10          dresses the increased threat from South  
11          American heroin, and in particular Co-  
12          lombian heroin.

13          (2) CONTENTS.—The strategy shall in-  
14          clude—

15                (A) opium eradication efforts to  
16                eliminate the problem at the source  
17                to prevent it from reoccurring before  
18                the heroin enters the stream of com-  
19                merce;

20                (B) interdiction and precursor  
21                chemical controls;

22                (C) demand reduction and treat-  
23                ment;

24                (D) provisions that ensure the  
25                maintenance at current levels of ef-

1       **forts to eradicate coca in Colombia;**  
2       **and**

3               **(E) assessment of the level of ad-**  
4       **ditional funding and resources nec-**  
5       **essary to simultaneously address the**  
6       **threat from South American heroin**  
7       **and the threat from Colombian coca.**

8   **SEC. 4. AMENDMENTS RELATING TO COORDINATION WITH**  
9               **OTHER AGENCIES.**

10       **Section 705 (21 U.S.C. 1704) is amended—**

11               **(1) in subsection (a)(1)(A), by striking**  
12       **“abuse”;**

13               **(2) by amending paragraph (3) of sub-**  
14       **section (a) to read as follows:**

15               **“(3) REQUIRED REPORTS.—**

16               **“(A) SECRETARIES OF THE INTERIOR**  
17       **AND AGRICULTURE.—The Secretaries of**  
18       **Agriculture and the Interior shall, by**  
19       **July 1 of each year, jointly submit to**  
20       **the Director and the authorizing com-**  
21       **mittees of Congress for the Office an**  
22       **assessment of the quantity of illegal**  
23       **drug cultivation and manufacturing**  
24       **in the United States on lands owned**  
25       **or under the jurisdiction of the Fed-**

1           eral Government for the preceding  
2           year.

3           “(B) ATTORNEY GENERAL.—The At-  
4           torney General shall, by July 1 of  
5           each year, submit to the Director and  
6           the authorizing committees of Con-  
7           gress for the Office information for  
8           the preceding year regarding the  
9           number and type of—

10                 “(i) arrests for drug viola-  
11                 tions;

12                 “(ii) prosecutions for drug vio-  
13                 lations by United States Attor-  
14                 neys; and

15                 “(iii) seizures of drugs by each  
16                 component of the Department of  
17                 Justice seizing drugs, as well as  
18                 statistical information on the geo-  
19                 graphic areas of such seizures.

20           “(C) SECRETARY OF HOMELAND SE-  
21           curity.—The Secretary of Homeland  
22           Security shall, by July 1 of each year,  
23           submit to the Director and the au-  
24           thorizing committees of Congress for

1 the Office information for the pre-  
2 ceding year regarding—

3 “(i) the number and type of  
4 seizures of drugs by each compo-  
5 nent of the Department of Home-  
6 land Security seizing drugs, as  
7 well as statistical information on  
8 the geographic areas of such sei-  
9 zures; and

10 “(ii) the number of air and  
11 maritime patrol hours primarily  
12 dedicated to drug supply reduc-  
13 tion missions undertaken by each  
14 component of the Department.

15 “(D) SECRETARY OF DEFENSE.—The  
16 Secretary of Defense shall, by July 1  
17 of each year, submit to the Director  
18 and the authorizing committees of  
19 Congress for the Office information  
20 for the preceding year regarding the  
21 number of air and maritime patrol  
22 hours primarily dedicated to drug  
23 supply reduction missions under-  
24 taken by each component of the De-  
25 partment of Defense.”; and

1           **(3) in subsection (b)(2)(B), by striking**  
2           **“Program.” and inserting “Strategy.”.**

3   **SEC. 5. DEVELOPMENT, SUBMISSION, IMPLEMENTATION,**  
4           **AND ASSESSMENT OF NATIONAL DRUG CON-**  
5           **TROL STRATEGY.**

6           **Section 706 (21 U.S.C. 1705) is amended to**  
7   **read as follows:**

8   **“SEC. 706. DEVELOPMENT, SUBMISSION, IMPLEMENTATION,**  
9           **AND ASSESSMENT OF NATIONAL DRUG CON-**  
10          **TROL STRATEGY.**

11          **“(a) TIMING, CONTENTS, AND PROCESS FOR**  
12   **DEVELOPMENT AND SUBMISSION OF NATIONAL**  
13   **DRUG CONTROL STRATEGY.—**

14           **“(1) IN GENERAL.—Not later than Feb-**  
15          **ruary 1 of each year, the President shall**  
16          **submit to Congress a National Drug Con-**  
17          **trol Strategy, which shall set forth a com-**  
18          **prehensive plan for reducing illicit drug**  
19          **use and the consequences of illicit drug**  
20          **use in the United States by reducing the**  
21          **demand for illegal drugs, limiting the**  
22          **availability of illegal drugs, and con-**  
23          **ducting law enforcement activities with**  
24          **respect to illegal drugs.**

25           **“(2) CONTENTS.—**

1           **“(A) IN GENERAL.—The National**  
2           **Drug Control Strategy submitted**  
3           **under paragraph (1) shall include—**

4                   **“(i) comprehensive, research-**  
5                   **based, long-range, and quantifi-**  
6                   **able goals for reducing illicit drug**  
7                   **use and the consequences of illicit**  
8                   **drug use in the United States;**

9                   **“(ii) annual objectives and**  
10                  **strategy for demand reduction,**  
11                  **supply reduction, and law en-**  
12                  **forcement activities, specific tar-**  
13                  **gets to accomplish long-range**  
14                  **quantifiable reduction in illicit**  
15                  **drug use as determined by the Di-**  
16                  **rector, and specific measurements**  
17                  **to evaluate progress toward the**  
18                  **targets and strategic goals;**

19                  **“(iii) a strategy to reduce the**  
20                  **availability and purity of illegal**  
21                  **drugs and the level of drug-re-**  
22                  **lated crime in the United States;**

23                  **“(iv) an assessment of Federal**  
24                  **effectiveness in achieving the Na-**



1           **tional Drug Control Strategy for**  
2           **the previous year, including—**

3                   **“(I) a specific evaluation**  
4                   **of whether the objectives and**  
5                   **targets for reducing illicit**  
6                   **drug use for the previous year**  
7                   **were met and reasons for the**  
8                   **success or failure of the pre-**  
9                   **vious year’s Strategy; and**

10                   **“(II) an assessment of the**  
11                   **availability and purity of ille-**  
12                   **gal drugs and the level of**  
13                   **drug-related crime in the**  
14                   **United States;**

15                   **“(v) notification of any pro-**  
16                   **gram or budget priorities that the**  
17                   **Director expects to significantly**  
18                   **change from the current Strategy**  
19                   **over the next five years;**

20                   **“(vi) a review of international,**  
21                   **State, local, and private sector**  
22                   **drug control activities to ensure**  
23                   **that the United States pursues**  
24                   **well-coordinated and effective**

1           **drug control at all levels of gov-**  
2           **ernment;**

3           **“(vii) such statistical data and**  
4           **information as the Director**  
5           **deems appropriate to dem-**  
6           **onstrate and assess trends relat-**  
7           **ing to illicit drug use, the effects**  
8           **and consequences thereof, supply**  
9           **reduction, demand reduction,**  
10          **drug-related law enforcement,**  
11          **and the implementation of the**  
12          **National Drug Control Strategy;**  
13          **and**

14          **“(viii) a supplement reviewing**  
15          **the activities of each individual**  
16          **National Drug Control Program**  
17          **agency during the previous year**  
18          **with respect to the National Drug**  
19          **Control Strategy and the Direc-**  
20          **tor’s assessment of the progress of**  
21          **each National Drug Control Pro-**  
22          **gram agency in meeting its re-**  
23          **sponsibilities under the National**  
24          **Drug Control Strategy.**

**“(B) CLASSIFIED INFORMATION.—**

**Any contents of the National Drug Control Strategy that involve information properly classified under criteria established by an Executive order shall be presented to Congress separately from the rest of the National Drug Control Strategy.**

**“(C) SELECTION OF DATA AND INFORMATION.—**

**In selecting data and information for inclusion under subparagraph (A), the Director shall ensure—**

**“(i) the inclusion of data and information that will permit analysis of current trends against previously compiled data and information where the Director believes such analysis enhances long-term assessment of the National Drug Control Strategy; and**

**“(ii) the inclusion of data and information to permit a standardized and uniform assessment of the effectiveness of drug treat-**

1                   ment programs in the United  
2                   States.

3                   “(3) PROCESS FOR DEVELOPMENT AND  
4                   SUBMISSION.—

5                   “(A) CONSULTATION.—In devel-  
6                   oping and effectively implementing  
7                   the National Drug Control Strategy,  
8                   the Director—

9                   “(i) shall consult with—

10                   “(I) the heads of the Na-  
11                   tional Drug Control Program  
12                   agencies;

13                   “(II) Congress;

14                   “(III) State and local offi-  
15                   cials;

16                   “(IV) private citizens and  
17                   organizations with experience  
18                   and expertise in demand re-  
19                   duction;

20                   “(V) private citizens and  
21                   organizations with experience  
22                   and expertise in supply reduc-  
23                   tion;

24                   “(VI) private citizens and  
25                   organizations with experience

1           **and expertise in law enforce-**  
2           **ment; and**

3           **“(VII) appropriate rep-**  
4           **resentatives of foreign gov-**  
5           **ernments;**

6           **“(ii) with the concurrence of**  
7           **the Attorney General, may re-**  
8           **quire the El Paso Intelligence**  
9           **Center to undertake specific**  
10          **tasks or projects to implement the**  
11          **National Drug Control Strategy;**

12          **“(iii) with the concurrence of**  
13          **the Director of Central Intel-**  
14          **ligence and the Attorney General,**  
15          **may request that the National**  
16          **Drug Intelligence Center under-**  
17          **take specific tasks or projects to**  
18          **implement the National Drug**  
19          **Control Strategy; and**

20          **“(iv) may make recommenda-**  
21          **tions to the Secretary of Health**  
22          **and Human Services on research**  
23          **that supports or advances the Na-**  
24          **tional Drug Control Strategy.**

1           **“(B) RECOMMENDATIONS.—Rec-**  
2           **ommendations under subparagraph**  
3           **(A)(iv) may include recommendations**  
4           **of research to be performed at the**  
5           **National Institutes of Health, includ-**  
6           **ing the National Institute on Drug**  
7           **Abuse, or any other appropriate agen-**  
8           **cy within the Department of Health**  
9           **and Human Services.**

10           **“(C) INCLUSION IN STRATEGY.—The**  
11           **National Drug Control Strategy**  
12           **under this subsection shall include a**  
13           **list of each entity consulted under**  
14           **subparagraph (A)(i).**

15           **“(4) SUBMISSION OF REVISED STRAT-**  
16           **EGY.—The President may submit to Con-**  
17           **gress a revised National Drug Control**  
18           **Strategy that meets the requirements of**  
19           **this section—**

20           **“(A) at any time, upon a deter-**  
21           **mination by the President, in con-**  
22           **sultation with the Director, that the**  
23           **National Drug Control Strategy in ef-**  
24           **fect is not sufficiently effective; or**

1                   **“(B) if a new President or Direc-**  
2                   **tor takes office.**

3           **“(b) PERFORMANCE MEASUREMENT SYS-**  
4 **TEM.—Not later than February 1 of each year,**  
5 **the Director shall submit to Congress a de-**  
6 **scription of the national drug control per-**  
7 **formance measurement system, designed in**  
8 **consultation with affected National Drug Con-**  
9 **trol Program agencies, that includes perform-**  
10 **ance measures for the National Drug Control**  
11 **Strategy and activities of National Drug Con-**  
12 **trol Program agencies related to the National**  
13 **Drug Control Strategy.”.**

14 **SEC. 6. HIGH INTENSITY DRUG TRAFFICKING AREAS PRO-**  
15 **GRAM.**

16           **(a) IN GENERAL.—Section 707 (21 U.S.C.**  
17 **1706) is amended to read as follows:**

18 **“SEC. 707. HIGH INTENSITY DRUG TRAFFICKING AREAS**  
19 **PROGRAM.**

20           **“(a) ESTABLISHMENT.—There is established**  
21 **in the Office a program to be known as the**  
22 **High Intensity Drug Trafficking Areas Pro-**  
23 **gram (in this section referred to as the ‘Pro-**  
24 **gram’).**

1       **“(b) PURPOSES.—The purposes of the Pro-**  
2 **gram are the following:**

3           **“(1) To reduce drug availability and**  
4 **facilitate cooperative efforts between**  
5 **Federal, State, and local law enforcement**  
6 **agencies in areas with significant drug**  
7 **trafficking problems that harmfully im-**  
8 **pact other parts of the Nation.**

9           **“(2) To provide assistance to agencies**  
10 **to come together to assess regional**  
11 **threats, design coordinated strategies to**  
12 **combat those threats, share intelligence,**  
13 **and develop and implement coordinated**  
14 **initiatives to implement the strategies.**

15       **“(c) DESIGNATION.—The Director, upon**  
16 **consultation with the Attorney General, the**  
17 **Secretary of the Treasury, the Secretary of**  
18 **Homeland Security, heads of the National**  
19 **Drug Control Program agencies, and the Gov-**  
20 **ernor of each applicable State, may designate**  
21 **any specified area of the United States as a**  
22 **high intensity drug trafficking area.**

23       **“(d) FACTORS FOR CONSIDERATION.—**

24           **“(1) IN GENERAL.—In considering**  
25 **whether to designate an area under this**



1       section as a high intensity drug traf-  
2       ficking area, the Director shall consider,  
3       in addition to such other criteria as the  
4       Director considers to be appropriate, the  
5       extent to which—

6               “(A) the area is a major center of  
7       illegal drug production, manufac-  
8       turing, importation, or distribution  
9       for the United States as compared to  
10      other areas of the United States;

11              “(B) State and local law enforce-  
12      ment agencies have committed re-  
13      sources to respond to the drug traf-  
14      ficking problem in the area, thereby  
15      indicating a determination to re-  
16      spond aggressively to the problem;

17              “(C) drug-related production,  
18      manufacturing, importation, or dis-  
19      tribution in the area is having a sig-  
20      nificant harmful impact in other  
21      areas of the United States; and

22              “(D) a significant increase in allo-  
23      cation of Federal resources is nec-  
24      essary to respond adequately to drug-  
25      related activities in the area.

1           **“(2) CONSIDERATIONS.—For purposes**  
2           **of paragraph (1)(A), in considering**  
3           **whether an area is a major center of ille-**  
4           **gal drug production, manufacturing, im-**  
5           **portation, or distribution as compared to**  
6           **other areas of the United States, the Di-**  
7           **rector shall consider—**

8                   **“(A) the quantity of illicit drug**  
9                   **traffic entering or transiting the area**  
10                  **originating in foreign countries;**

11                  **“(B) the quantity of illicit drugs**  
12                  **produced in the area;**

13                  **“(C) the number of Federal, State,**  
14                  **and local arrests, prosecutions, and**  
15                  **convictions for drug trafficking and**  
16                  **distribution offenses in the area;**

17                  **“(D) the degree to which the area**  
18                  **is a center for the activities of na-**  
19                  **tional drug trafficking organizations;**  
20                  **and**

21                  **“(E) such other criteria as the Di-**  
22                  **rector considers appropriate.**

23           **“(e) SOUTHWEST BORDER.—The Director**  
24           **may not designate any county contiguous to**  
25           **the international land border with Mexico as**

1 part of any high intensity drug trafficking  
2 area other than as part of a single Southwest  
3 Border high intensity drug trafficking area.

4 “(f) REMOVAL FROM DESIGNATION.—The Di-  
5 rector may remove an area or portion of an  
6 area from designation as a high intensity  
7 drug trafficking area under this section upon  
8 determination that the area or portion of an  
9 area no longer is a high intensity drug traf-  
10 ficking area, considering the factors in sub-  
11 sections (d) and (e) in addition to such other  
12 criteria as the Director considers to be appro-  
13 priate.

14 “(g) AUTHORITY OF THE DIRECTOR.—After  
15 making such a designation and in order to  
16 provide Federal assistance to the area so des-  
17 ignated, the Director may—

18 “(1) obligate such sums as appro-  
19 priated for the Program;

20 “(2) direct the temporary reassign-  
21 ment of Federal personnel to such area,  
22 subject to the approval of the head of the  
23 department or agency that employs such  
24 personnel; and

1           **“(3) take any other action authorized**  
2           **under section 704 to provide increased**  
3           **Federal assistance to those areas.**

4           **“(h) USE OF FUNDS.—**

5           **“(1) LIMITATION.—No funds appro-**  
6           **priated for the Program shall be ex-**  
7           **pended for drug prevention or drug**  
8           **treatment programs.**

9           **“(2) LIMITATION ON APPLICABILITY.—**  
10          **Paragraph (1) shall not apply with re-**  
11          **spect to the Baltimore/Washington high**  
12          **intensity drug trafficking area.**

13          **“(i) TERRORISM ACTIVITIES.—**

14          **“(1) ASSISTANCE AUTHORIZED.—The Di-**  
15          **rector may authorize use of resources**  
16          **available for the Program to assist Fed-**  
17          **eral, State, and local law enforcement**  
18          **agencies in investigations and activities**  
19          **related to terrorism and prevention of**  
20          **terrorism, especially but not exclusively**  
21          **where such investigations are related to**  
22          **drug trafficking.**

23          **“(2) LIMITATION.—The Director shall**  
24          **ensure—**

1           “(A) that assistance provided  
2           under paragraph (1) remains inci-  
3           dental to the purpose of the Program  
4           to reduce drug availability and carry  
5           out drug-related law enforcement ac-  
6           tivities; and

7           “(B) that significant resources of  
8           the Program are not redirected to ac-  
9           tivities exclusively related to ter-  
10          rorism.

11       “(j) BOARD REPRESENTATION.—None of the  
12       funds appropriated under this section may be  
13       expended for any high intensity drug traf-  
14       ficking area, or for a partnership under the  
15       Program, if the executive board or equivalent  
16       governing committee with respect to such  
17       area or partnership is not comprised of equal  
18       voting representation between representa-  
19       tives of Federal law enforcement agencies and  
20       representatives of State and local law en-  
21       forcement agencies.

22       “(k) ROLE OF DRUG ENFORCEMENT ADMINIS-  
23       TRATION.—The Director, in consultation with  
24       the Attorney General, shall ensure that a rep-  
25       resentative of the Drug Enforcement Adminis-

1 tration is included in the Intelligence Support  
2 Center for each high intensity drug traf-  
3 ficking area.

4 “(l) AUTHORIZATION OF APPROPRIATIONS.—  
5 There is authorized to be appropriated to the  
6 Office of National Drug Control Policy to  
7 carry out this section—

8 “(1) \$230,000,000 for fiscal year 2004;

9 “(2) \$240,000,000 for each of fiscal  
10 years 2005 and 2006; and

11 “(3) \$250,000,000 for each of fiscal  
12 years 2007 and 2008.”.

13 (b) REVIEW OF CURRENT AREAS.—Within  
14 one year after the date of enactment of this  
15 Act, the Director of National Drug Control  
16 Policy shall—

17 (1) review each of the areas currently  
18 designated as a high intensity drug traf-  
19 ficking area to determine whether it con-  
20 tinues to warrant designation as a high  
21 intensity drug trafficking area, consid-  
22 ering the factors in section 707(d) of the  
23 Office of National Drug Control Policy  
24 Reauthorization Act of 1998, as amended  
25 by this section, in addition to such other

1        **criteria as the Director considers to be**  
2        **appropriate; and**

3            **(2) terminate such description for an**  
4        **area or portion of an area determined to**  
5        **no longer warrant designation.**

6        **SEC. 7. FUNDING FOR CERTAIN HIGH INTENSITY DRUG**  
7            **TRAFFICKING AREAS.**

8        **(a) SHORT TITLE.—This section may be**  
9        **cited as the “Dawson Family Community Pro-**  
10       **tection Act”.**

11       **(b) FINDINGS.—Congress finds the fol-**  
12       **lowing:**

13            **(1) In the early morning hours of Oc-**  
14        **tober 16, 2002, the home of Carnell and**  
15        **Angela Dawson was firebombed in appar-**  
16        **ent retaliation for Mrs. Dawson’s notifica-**  
17        **tion of police about persistent drug dis-**  
18        **tribution activity in their East Baltimore**  
19        **City neighborhood.**

20            **(2) The arson claimed the lives of Mr.**  
21        **and Mrs. Dawson and their 5 young chil-**  
22        **dren, aged 9 to 14.**

23            **(3) The horrific murder of the Daw-**  
24        **son family is a stark example of domestic**  
25        **narco-terrorism.**

1           **(4) In all phases of counter-narcotics**  
2           **law enforcement—from prevention to in-**  
3           **vestigation to prosecution to reentry—the**  
4           **voluntary cooperation of ordinary citi-**  
5           **zens is a critical component.**

6           **(5) Voluntary cooperation is difficult**  
7           **for law enforcement officials to obtain**  
8           **when citizens feel that cooperation car-**  
9           **ries the risk of violent retaliation by ille-**  
10          **gal drug trafficking organizations and**  
11          **their affiliates.**

12          **(6) Public confidence that law en-**  
13          **forcement is doing all it can to make**  
14          **communities safe is a prerequisite for**  
15          **voluntary cooperation among people who**  
16          **may be subject to intimidation or reprisal**  
17          **(or both).**

18          **(7) Witness protection programs are**  
19          **insufficient on their own to provide secu-**  
20          **rity because many individuals and fami-**  
21          **lies who strive every day to make dis-**  
22          **tressed neighborhoods livable for their**  
23          **children, other relatives, and neighbors**  
24          **will resist or refuse offers of relocation**  
25          **by local, State, and Federal prosecutorial**



1        **agencies and because, moreover, the con-**  
2        **tinued presence of strong individuals and**  
3        **families is critical to preserving and**  
4        **strengthening the social fabric in such**  
5        **communities.**

6            **(8) Where (as in certain sections of**  
7        **Baltimore City) interstate trafficking of**  
8        **illegal drugs has severe ancillary local**  
9        **consequences within areas designated as**  
10       **high intensity drug trafficking areas, it is**  
11       **important that supplementary High In-**  
12       **tensity Drug Trafficking Areas Program**  
13       **funds be committed to support initiatives**  
14       **aimed at making the affected commu-**  
15       **nities safe for the residents of those com-**  
16       **munities and encouraging their coopera-**  
17       **tion with local, State, and Federal law en-**  
18       **forcement efforts to combat illegal drug**  
19       **trafficking.**

20        **(c) FUNDING FOR CERTAIN HIGH INTENSITY**  
21       **DRUG TRAFFICKING AREAS.—Section 707 (21**  
22       **U.S.C. 1706) is further amended in subsection**  
23       **(h) by adding at the end the following new**  
24       **paragraph:**

25            **“(3) SPECIFIC PURPOSES.—**

1           **“(A) IN GENERAL.—The Director**  
2           **shall ensure that, of the amounts ap-**  
3           **propriated for a fiscal year for the**  
4           **Program, at least \$1,000,000 is used in**  
5           **high intensity drug trafficking areas**  
6           **with severe neighborhood safety and**  
7           **illegal drug distribution problems.**

8           **“(B) REQUIRED USES.—The funds**  
9           **used under subparagraph (A) shall be**  
10          **used—**

11               **“(i) to ensure the safety of**  
12               **neighborhoods and the protection**  
13               **of communities, including the**  
14               **prevention of the intimidation of**  
15               **potential witnesses of illegal drug**  
16               **distribution and related activi-**  
17               **ties; and**

18               **“(ii) to combat illegal drug**  
19               **trafficking through such methods**  
20               **as the Director considers appro-**  
21               **priate, such as establishing or op-**  
22               **erating (or both) a toll-free tele-**  
23               **phone hotline for use by the pub-**  
24               **lic to provide information about**  
25               **illegal drug-related activities.”.**

1 SEC. 8. AMENDMENTS RELATING TO COUNTER-DRUG TECH-  
2 NOLOGY ASSESSMENT CENTER.

3 (a) CHIEF SCIENTIST.—Section 708(b) (21  
4 U.S.C. 1707(b)) is amended—

5 (1) in the heading by striking “DIREC-  
6 TOR OF TECHNOLOGY.—” and inserting  
7 “CHIEF SCIENTIST.—”; and

8 (2) by striking “Director of Tech-  
9 nology,” and inserting “Chief Scientist,”.

10 (b) ADDITIONAL RESPONSIBILITIES OF DIREC-  
11 TOR.—Section 708(c) (21 U.S.C. 1707(c)) is  
12 amended to read as follows:

13 “(c) ADDITIONAL RESPONSIBILITIES OF THE  
14 DIRECTOR OF NATIONAL DRUG CONTROL POL-  
15 ICY.—

16 “(1) IN GENERAL.—The Director, acting  
17 through the Chief Scientist, shall—

18 “(A) identify and define the short-  
19 , medium-, and long-term scientific  
20 and technological needs of Federal,  
21 State, and local law enforcement  
22 agencies relating to drug enforce-  
23 ment, including—

24 “(i) advanced surveillance,  
25 tracking, and radar imaging;

1                   **“(ii) electronic support meas-**  
2                   **ures;**

3                   **“(iii) communications;**

4                   **“(iv) data fusion, advanced**  
5                   **computer systems, and artificial**  
6                   **intelligence; and**

7                   **“(v) chemical, biological, radi-**  
8                   **ological (including neutron, elec-**  
9                   **tron, and graviton), and other**  
10                  **means of detection;**

11                  **“(B) identify demand reduction**  
12                  **(including drug prevention) basic and**  
13                  **applied research needs and initia-**  
14                  **tives, in consultation with affected**  
15                  **National Drug Control Program agen-**  
16                  **cies, including—**

17                       **“(i) improving treatment**  
18                       **through neuroscientific advances;**

19                       **“(ii) improving the transfer of**  
20                       **biomedical research to the clin-**  
21                       **ical setting; and**

22                       **“(iii) in consultation with the**  
23                       **National Institute on Drug Abuse**  
24                       **and the Substance Abuse and**  
25                       **Mental Health Services Adminis-**

1           tration, and through interagency  
2           agreements or grants, examining  
3           addiction and rehabilitation re-  
4           search and the application of  
5           technology to expanding the ef-  
6           fectiveness or availability of drug  
7           treatment;

8           “(C) make a priority ranking of  
9           such needs identified in subpara-  
10          graphs (A) and (B) according to fiscal  
11          and technological feasibility, as part  
12          of a National Counter-Drug Enforce-  
13          ment Research and Development Pro-  
14          gram;

15          “(D) oversee and coordinate  
16          counter-drug technology initiatives  
17          with related activities of other Fed-  
18          eral civilian and military depart-  
19          ments;

20          “(E) oversee and coordinate a  
21          technology transfer program for the  
22          transfer of technology to State and  
23          local law enforcement agencies; and

24          “(F) pursuant to the authority of  
25          the Director of National Drug Control

1           **Policy under section 704, submit re-**  
2           **quests to Congress for the reprogram-**  
3           **ming or transfer of funds appro-**  
4           **priated for counter-drug technology**  
5           **research and development.**

6           **“(2) PRIORITIES IN TRANSFERRING TECH-**  
7           **NOLOGY.—In transferring technology**  
8           **under the authority of paragraph (1)(E),**  
9           **the Chief Scientist shall give priority, in**  
10          **transferring technologies most likely to**  
11          **assist in drug interdiction and border en-**  
12          **forcement, to State, local, and tribal law**  
13          **enforcement agencies in southwest bor-**  
14          **der areas and northern border areas with**  
15          **significant traffic in illicit drugs.**

16          **“(3) LIMITATION ON AUTHORITY.—The**  
17          **authority granted to the Director under**  
18          **this subsection shall not extend to the**  
19          **award of contracts, management of indi-**  
20          **vidual projects, or other operational ac-**  
21          **tivities.”.**

22          **(c) ASSISTANCE FROM SECRETARY OF HOME-**  
23          **LAND SECURITY.—Section 708(d) (21 U.S.C.**  
24          **1707(d)) is amended by inserting “, the Sec-**

1   **retary of Homeland Security,” after “The Sec-**  
2   **retary of Defense”.**

3   **SEC. 9. REPEALS.**

4       **The following provisions are repealed:**

5           **(1) Sections 709 and 711 (21 U.S.C.**  
6       **1708 and 1710).**

7           **(2) Section 6073 of the Asset For-**  
8       **feiture Amendments Act of 1988 (21 U.S.C.**  
9       **1509).**

10   **SEC. 10. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.**

11       **(a) IN GENERAL.—The Act is further**  
12   **amended by inserting after section 708 (21**  
13   **U.S.C. 1707) the following:**

14   **“SEC. 709. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.**

15       **“(a) IN GENERAL.—The Director shall con-**  
16   **duct a national media campaign in accord-**  
17   **ance with this section for the purpose of re-**  
18   **ducing and preventing illicit drug use among**  
19   **young people in the United States, through**  
20   **mass media advertising.**

21       **“(b) USE OF FUNDS.—**

22           **“(1) IN GENERAL.—Amounts made**  
23       **available to carry out this section for the**  
24       **media campaign may only be used for the**  
25       **following:**

1           **“(A) The purchase of media time**  
2           **and space.**

3           **“(B) Creative and talent costs.**

4           **“(C) Advertising production costs.**

5           **“(D) Testing and evaluation of ad-**  
6           **vertising.**

7           **“(E) Evaluation of the effective-**  
8           **ness of the media campaign.**

9           **“(F) The negotiated fees for the**  
10          **winning bidder on requests for pro-**  
11          **posals issued either by the Office or**  
12          **its designee for purposes otherwise**  
13          **authorized in this section.**

14          **“(G) Partnerships with commu-**  
15          **nity, civic, and professional groups**  
16          **and government organizations re-**  
17          **lated to the media campaign.**

18          **“(H) Entertainment industry out-**  
19          **reach, interactive outreach, media**  
20          **projects and activities, public infor-**  
21          **mation, news media outreach, and**  
22          **corporate sponsorship and participa-**  
23          **tion.**

24          **“(I) Operational and management**  
25          **expenses.**



**“(2) SPECIFIC REQUIREMENTS.—**

**“(A) CREATIVE SERVICES.—**

**“(i) In using amounts for creative and talent costs under paragraph (1)(B), the Director shall use creative services donated at no cost to the Government wherever feasible and may only procure creative services for advertising—**

**“(I) responding to high-priority or emergent media campaign needs that cannot timely be obtained at no cost; or**

**“(II) intended to reach a minority, ethnic, or other special audience that cannot reasonably be obtained at no cost.**

**“(ii) No more than \$1,000,000 may be expended under this section each fiscal year on creative services, except that the Director may expend up to \$2,000,000 in a**

1           fiscal year on creative services to  
2           meet urgent needs of the media  
3           campaign with advance approval  
4           from the Committees on Appro-  
5           priations of the House of Rep-  
6           resentatives and of the Senate  
7           upon a showing of the cir-  
8           cumstances causing such urgent  
9           needs of the media campaign.

10           “(B) TESTING AND EVALUATION OF  
11           ADVERTISING.—In using amounts for  
12           testing and evaluation of advertising  
13           under paragraph (1)(D), the Director  
14           shall test all advertisements prior to  
15           use in the media campaign to ensure  
16           that the advertisements are effective  
17           and meet industry-accepted stand-  
18           ards. The Director may waive this re-  
19           quirement for advertisements using  
20           no more than 10 percent of the pur-  
21           chase of advertising time purchased  
22           under this section in a fiscal year and  
23           no more than 10 percent of the adver-  
24           tising space purchased under this  
25           section in a fiscal year, if the adver-

1           tishments respond to emergent and  
2           time-sensitive campaign needs or the  
3           advertisements will not be widely uti-  
4           lized in the media campaign.

5           “(C) EVALUATION OF EFFECTIVENESS  
6           OF MEDIA CAMPAIGN.—In using  
7           amounts for the evaluation of the ef-  
8           fectiveness of the media campaign  
9           under paragraph (1)(E), the Director  
10          shall—

11               “(i) designate an independent  
12               entity to evaluate annually the ef-  
13               fectiveness of the media cam-  
14               paign based on data from—

15                       “(I) the ‘Monitoring the  
16                       Future Study’ published by  
17                       the Department of Health and  
18                       Human Services;

19                       “(II) the Attitude Tracking  
20                       Study published by the Part-  
21                       nership for a Drug Free Amer-  
22                       ica;

23                       “(III) the National House-  
24                       hold Survey on Drug Abuse;  
25                       and

1                   “(IV) other relevant stud-  
2                   ies or publications, as deter-  
3                   mined by the Director, includ-  
4                   ing tracking and evaluation  
5                   data collected according to  
6                   marketing and advertising in-  
7                   dustry standards; and

8                   “(ii) ensure that the effective-  
9                   ness of the media campaign is  
10                  evaluated in a manner that en-  
11                  ables consideration of whether  
12                  the media campaign has contrib-  
13                  uted to reduction of illicit drug  
14                  use among youth and such other  
15                  measures of evaluation as the Di-  
16                  rector determines are appro-  
17                  priate.

18                  “(3) PURCHASE OF ADVERTISING TIME  
19                  AND SPACE.—For each fiscal year, not less  
20                  than 77 percent of the amounts appro-  
21                  priated under this section shall be used  
22                  for the purchase of advertising time and  
23                  space for the media campaign, subject to  
24                  the following exceptions:

1           “(A) In any fiscal year for which  
2           less than \$125,000,000 is appropriated  
3           for the media campaign, not less than  
4           82 percent of the amounts appro-  
5           priated under this section shall be  
6           used for the purchase of advertising  
7           time and space for the media cam-  
8           paign.

9           “(B) In any fiscal year for which  
10          more than \$195,000,000 is appro-  
11          priated under this section, not less  
12          than 72 percent shall be used for ad-  
13          vertising production costs and the  
14          purchase of advertising time and  
15          space for the media campaign.

16       “(c) ADVERTISING.—In carrying out this  
17       section, the Director shall devote sufficient  
18       funds to the advertising portion of the media  
19       campaign to meet the goals of the media cam-  
20       paign.

21       “(d) PROHIBITIONS.—None of the amounts  
22       made available under subsection (b) may be  
23       obligated or expended for any of the fol-  
24       lowing:

1           **“(1) To supplant current antidrug**  
2           **community-based coalitions.**

3           **“(2) To supplant pro bono public serv-**  
4           **ice time donated by national and local**  
5           **broadcasting networks for other public**  
6           **service campaigns.**

7           **“(3) For partisan political purposes,**  
8           **or express advocacy in support of or to**  
9           **defeat any clearly identified candidate,**  
10          **clearly identified ballot initiative, or**  
11          **clearly identified legislative or regulatory**  
12          **proposal.**

13          **“(4) To fund advertising that features**  
14          **any elected officials, persons seeking**  
15          **elected office, cabinet level officials, or**  
16          **other Federal officials employed pursu-**  
17          **ant to section 213 of Schedule C of title 5,**  
18          **Code of Federal Regulations.**

19          **“(5) To fund advertising that does not**  
20          **contain a primary message intended to**  
21          **reduce or prevent illicit drug use.**

22          **“(6) To fund advertising containing a**  
23          **primary message intended to promote**  
24          **support for the media campaign or pri-**

1       vate sector contributions to the media  
2       campaign.

3       “(e) MATCHING REQUIREMENT.—

4               “(1) IN GENERAL.—Amounts made  
5       available under subsection (b) shall be  
6       matched by an equal amount of non-Fed-  
7       eral funds for the media campaign, or be  
8       matched with in-kind contributions of  
9       the same value.

10              “(2) NO-COST MATCH ADVERTISING DI-  
11       RECT RELATIONSHIP REQUIREMENT.—The Di-  
12       rector shall ensure that at least 70 per-  
13       cent of no-cost match advertising pro-  
14       vided directly relates to substance abuse  
15       prevention consistent with the specific  
16       purposes of the media campaign, except  
17       that in any fiscal year in which less than  
18       \$125,000,000 is appropriated to the media  
19       campaign, the Director shall ensure that  
20       at least 85 percent of no-cost match ad-  
21       vertising directly relates to substance  
22       abuse prevention consistent with the spe-  
23       cific purposes of the media campaign.

24              “(3) NO-COST MATCH ADVERTISING NOT  
25       DIRECTLY RELATED.—The Director shall

1       **ensure that no-cost match advertising**  
2       **that does not directly relate to substance**  
3       **abuse prevention includes a clear anti-**  
4       **drug message. Such message is not re-**  
5       **quired to be the primary message of the**  
6       **match advertising.**

7       **“(f) FINANCIAL AND PERFORMANCE ACCOUNT-**  
8       **ABILITY.—The Director shall cause to be per-**  
9       **formed—**

10           **“(1) audits and reviews of costs of the**  
11           **media campaign pursuant to section 304C**  
12           **of the Federal Property and Administra-**  
13           **tive Services Act of 1949 (41 U.S.C. 254d);**  
14           **and**

15           **“(2) an audit of the cost of the media**  
16           **campaign described in section 306 of**  
17           **such Act (41 U.S.C. 256).**

18       **“(g) STRATEGIC GUIDANCE AND DONA-**  
19       **TIONS.—The Partnership for a Drug Free**  
20       **America shall serve as the primary outside**  
21       **strategic advisor to the media campaign and**  
22       **be responsible for coordinating donations of**  
23       **creative and other services to the campaign,**  
24       **except with respect to advertising created**  
25       **using funds permitted in subsection (b). The**



1 Director shall inform the Partnership for a  
2 Drug Free America of the strategic goals of  
3 the campaign and consider advice from the  
4 Partnership for a Drug Free America on  
5 media campaign strategy.

6 “(h) REPORT TO CONGRESS.—The Director  
7 shall submit on an annual basis a report to  
8 Congress that describes—

9 “(1) the strategy of the media cam-  
10 paign and whether specific objectives of  
11 the media campaign were accomplished;

12 “(2) steps taken to ensure that the  
13 media campaign operates in an effective  
14 and efficient manner consistent with the  
15 overall strategy and focus of the media  
16 campaign;

17 “(3) plans to purchase advertising  
18 time and space;

19 “(4) policies and practices imple-  
20 mented to ensure that Federal funds are  
21 used responsibly to purchase advertising  
22 time and space and eliminate the poten-  
23 tial for waste, fraud, and abuse; and

24 “(5) all contracts entered into with a  
25 corporation, partnership, or individual

1       working on behalf of the media cam-  
2       paign.

3       “(i) **LOCAL TARGET REQUIREMENT.**—The Di-  
4       rector shall, to the maximum extent feasible,  
5       use amounts made available under this sec-  
6       tion for media that focuses on, or includes  
7       specific information on, prevention or treat-  
8       ment resources for consumers within specific  
9       local areas.

10       “(j) **PREVENTION OF MARIJUANA USE.**—

11               “(1) **FINDINGS.**—The Congress finds  
12       the following:

13                       “(A) 60 percent of adolescent ad-  
14       missions for drug treatment are  
15       based on marijuana use.

16                       “(B) Potency levels of contem-  
17       porary marijuana, particularly  
18       hydroponically grown marijuana, are  
19       significantly higher than in the past,  
20       rising from under 1 percent of THC in  
21       the mid-1970s to as high as 30 percent  
22       today.

23                       “(C) Contemporary research has  
24       demonstrated that youths smoking  
25       marijuana early in life may be up to

1           **five times more likely to use hard**  
2           **drugs.**

3           **“(D) Contemporary research has**  
4           **demonstrated clear detrimental ef-**  
5           **fects in adolescent educational**  
6           **achievement resulting from mari-**  
7           **juana use.**

8           **“(E) Contemporary research has**  
9           **demonstrated clear detrimental ef-**  
10          **fects in adolescent brain development**  
11          **resulting from marijuana use.**

12          **“(F) An estimated 9,000,000 Ameri-**  
13          **cans per year drive while under the**  
14          **influence of illegal drugs, including**  
15          **marijuana.**

16          **“(G) Marijuana smoke contains 50**  
17          **to 70 percent more of certain cancer**  
18          **causing chemicals than tobacco**  
19          **smoke.**

20          **“(H) Teens who use marijuana are**  
21          **up to four times more likely to have a**  
22          **teen pregnancy than teens who have**  
23          **not.**

24          **“(I) Federal law enforcement**  
25          **agencies have identified clear links**

1           **suggesting that trade in hydroponic**  
2           **marijuana facilitates trade by crimi-**  
3           **nal organizations in hard drugs, in-**  
4           **cluding heroin.**

5           **“(J) Federal law enforcement**  
6           **agencies have identified possible**  
7           **links between trade in marijuana and**  
8           **financing for terrorist organizations.**

9           **“(2) EMPHASIS ON PREVENTION OF**  
10          **YOUTH MARIJUANA USE.—In conducting ad-**  
11          **vertising and activities otherwise author-**  
12          **ized under this section, the Director may**  
13          **emphasize prevention of youth marijuana**  
14          **use.**

15          **“(k) AUTHORIZATION OF APPROPRIATIONS.—**  
16          **There is authorized to be appropriated to the**  
17          **Office to carry out this section, \$195,000,000**  
18          **for each of fiscal years 2004 and 2005 and**  
19          **\$210,000,000 for each of fiscal years 2006**  
20          **through 2008.”.**

21          **(b) REPEAL OF SUPERSEDED PROVISIONS.—**  
22          **The Drug-Free Media Campaign Act of 1998**  
23          **(21 U.S.C. 1801 et seq.) is repealed.**

24          **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

25          **Section 714 (21 U.S.C. 1711) is amended—**

1           (1) by striking “title,” and inserting  
2           “title, except activities for which amounts  
3           are otherwise specifically authorized by  
4           this title,”; and  
5           (2) by striking “1999 through 2003”  
6           and inserting “2004 through 2008”.

7   SEC. 12. EXTENSION OF TERMINATION DATE.

8           Section 715(a) is amended by striking  
9           “September 30, 2003, this title and the amend-  
10          ments made by this title are repealed” and in-  
11          serting “September 30, 2008, this title is re-  
12          pealed”.

**Union Calendar No. 114**

108TH CONGRESS  
1ST SESSION

**H. R. 2086**

**[Report No. 108–167, Parts I and II]**

---

---

**A BILL**

To reauthorize the Office of National Drug Control  
Policy.

---

---

JULY 14, 2003

Reported from the Committee on the Judiciary with an  
amendment

JULY 14, 2003

Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed